

*David Gelston*

*Presented to his Honor Historical &*

T H E

*1716*

*1755-6*

VOTES and PROCEEDINGS

O F T H E

A S S E M B L Y

O F T H E

*K*

STATE OF NEW-YORK,

At their first Session, begun and holden in the ASSEMBLY CHAMBER, at  
Kingston, in Ulster County, on Wednesday, the tenth Day of September, 1777.

KINGSTON: (*Ulster County*) PRINTED BY JOHN HOLT,  
PRINTER TO THE STATE OF NEW-YORK.

M,DCC,LXXVII.



THE  
VOTES AND PROCEEDINGS  
OF THE  
ASSEMBLY

STATE OF NEW-YORK

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# VOTES and PROCEEDINGS

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## A S S E M B L Y

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### S T A T E O F N E W - Y O R K .

M O N D A Y, September 1, 1777.

**I**T being ordained by the Constitution of this State, that the supreme Legislative Power thereof, should be vested in two separate and distinct Bodies of Men, the one whereof to be called, *The Assembly of the State of New-York*, and to consist of at least seventy Member, to be Annually chosen in the several Counties, in the Proportions in the Constitution specified. And it having been also ordained by the late Convention of this State, by an Ordinance, for organizing and establishing the Government thereof, that the Sheriffs of the Counties of *Albany, Ulster, Orange, Westchester, Dutchess, Tryon, Cumberland, Charlotte and Gloucester*, should cause Elections to be held for Members of Assembly for their respective Counties; and also, in as much as it was impracticable for the Inhabitants of the Southern District (the County of *Westchester* excepted) to elect Representatives in Assembly, that the several Persons, for that Purpose, in the said Ordinance named, should respectively be Representatives in Assembly, for the City and County of *New-York*, and the Counties of *Suffolk, Queen's, King's* and *Richmond*, until the Electors they Represent, shall respectively be in a Capacity of Electing; in Consequence thereof, the following Persons were, as afore-said, appointed and elected Representatives of this State, in Assembly, viz.

City and County of <i>New-York</i> .	* <i>William B. Whiting,</i>	* <i>Cornelius C. Schoonmaker,</i>
	<i>Peter Vrooman,</i>	* <i>Henry Wisner, jun.</i>
* <i>Abraham Brasher,</i>	* <i>John Cuyler, jun.</i>	* <i>Matthew Rea, Esqrs.</i>
* <i>Daniel Dunscomb,</i>	<i>James Gordon,</i>	
* <i>Evert Bancker,</i>	<i>Stephen F. Schuyler,</i>	Queen's County.
<i>Jacobus Van Zandt,</i>	* <i>Killiam Van Ranselaer, Esqrs.</i>	<i>Philip Edsal,</i>
<i>Henry Rutgers, jun.</i>	Suffolk County.	<i>Daniel Lawrence,</i>
* <i>Frederick Jay,</i>	<i>Burnet Miller,</i>	<i>Benjamin Coe,</i>
* <i>Peter P. Van Zandt,</i>	<i>David Gelston,</i>	* <i>Benjamin Birdsall, Esqrs.</i>
* <i>Robert Harpur,</i>	* <i>Ezra L'Hommedieu,</i>	King's County.
<i>Abraham P. Lott, Esqrs.</i>	* <i>Thomas Tredwell,</i>	<i>William Boerum,</i>
	* <i>Thomas Wickes, Esqrs.</i>	* <i>Henry Williams, Esqrs.</i>
City and County of <i>Albany.</i>	Ulster County.	
<i>Jacob Cuyler,</i>	* <i>Johnannis G. Hardenburgh,</i>	Richmond County.
* <i>John Taylor,</i>	<i>John Cantine,</i>	<i>Joshua Mercereau,</i>
<i>Robert Van Ranselaer,</i>	<i>Johannis Snyder,</i>	<i>Abraham Jones, Esqrs.</i>
* <i>Walter Livingston,</i>		Westchester



Westchester County.  
 \* *Gouverneur Morris,*  
 \* *Zebediah Mills,*  
 \* *Robert Graham,*  
 \* *Thaddeus Crane,*  
*Israel Honeywell, jun.*  
 \* *Samuel Drake, Esqrs.*

Orange County.  
 \* *John Hathorn,*  
 \* *Jeremiah Clark,*  
 \* *Tunis Kuyper.*  
 \* *Roeluff Van Houten, Esqrs.*

Dutchess County.  
 \* *Dirck Brinkerhoff,*

\* *Anthony Hoffman,*  
 \* *Gilbert Livingston,*  
 \* *Jacobus Swartwout,*  
 \* *Andrew Moorhouse,*  
*John Schenk,*  
 \* *Egbert Benson, Esqrs.*

Tryon County.  
*Michael Edie,*  
*Samuel Clyde,*  
 \* *Abraham Van Horne,*  
*Jacob Snell,*  
*Johannes Veeder,*  
*Jacob G. Klock, Esqrs.*

Charlotte County.  
*Ebenezer Russell,*  
*Ebenezer Clarke,*  
*John Rowen,*  
*John Barns, Esqrs.*

Gloucester County.

Cumberland County. } †

(† The respective Sheriffs have not made any return with respect to the Elections directed to be held in these Counties.)

And the Legislature having been, by the Council of Safety, and by his Excellency *George Clinton, Esq;* Governor of this State, from Time to Time, prorogued to this Day and Place, on this Day therefore several of the Representatives in Assembly met, but a sufficient Number of Members to proceed on Business not appearing, the House adjourned till ten o'Clock To-Morrow Morning.

T U E S D A Y, 10 o'Clock, A. M. *September 2, 1777.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not as yet appearing, the House adjourned till To-Morrow Morning, ten o'Clock.

W E D N E S D A Y, 10 o'Clock, A. M. *September 3, 1777.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not as yet appearing, the House adjourned till To-Morrow Morning, ten o'Clock.

T H U R S D A Y, 10 o'Clock, A. M. *September 4, 1777.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not as yet appearing, the House adjourned till To-Morrow Morning, ten o'Clock.

F R I D A Y, 10 o'Clock, A. M. *September 5, 1777.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not as yet appearing, the House adjourned till To-Morrow Morning, ten o'Clock.

S A T U R D A Y, 10 o'Clock, A. M. *September 6, 1777.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not as yet appearing, the House adjourned till To-Morrow Morning, ten o'Clock.

M O N D A Y, 10 o'Clock, A. M. *September 8, 1777.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not as yet appearing, the House adjourned till To-Morrow Morning, ten o'Clock.

T U E S D A Y, 10 o'Clock, A. M. *September 9, 1777.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not as yet appearing, the House adjourned till To-Morrow Morning, ten o'Clock.

W E D N E S D A Y, 10 o'Clock, A. M. *September 10, 1777.*

**T**HE House met, pursuant to Adjournment, and thirty-six Members, viz. these marked thus, \* in the List in the Minutes of the House of the first Instant, appearing, unanimously chose *Walter Livingston, Esq;* to be their Speaker, and conducted him to, and placed him in the Chair, accordingly.

The House then chose *John M<sup>c</sup>Kesson, Esq;* to be their Clerk.

Ordered,



*Ordered*, That Mr. *Hoffman* and Mr. *Killian Van Ranselaer* wait upon his Excellency the Governor, and inform him, that the House are met ready to proceed to Business, and wait his Excellency's Commands.

Mr. *Hoffman* reported, That Mr. *K. Van Ranselaer* and himself had waited upon his Excellency the Governor, with the Message of this House, and that his Excellency was pleased to inform them, that he would send for the House immediately.

A Message from his Excellency the Governor, by Mr. *Lush*, his private Secretary, informing the House, that the Senate had already adjourned till four o'Clock this Afternoon, and requesting this House would also adjourn to the same Hour.

The House accordingly adjourned to four o'Clock this Afternoon.

W E D N E S D A Y, 4 o'Clock, P. M. September 10, 1777.

THE House met, pursuant to Adjournment.

*Ordered*, That the Secretary, of the late Council of Safety, produce to this House, To-Morrow Morning, the Returns of the Elections for the Representatives, in Assembly, filed among the Papers in his Office.

*Philip Edsall*, *Benjamin Coe*, *James Gordon* and *Robert Van Ranselaer*, Esqrs. appeared and took their Seats.

*Ordered*, That *Thomas Pettit* be, and is hereby appointed Serjeant at Arms; and that *Richard Ten Eyck* be, and is hereby appointed Door-keeper to this House.

A Message from his Excellency the Governor, by Mr. *Lush*, his private Secretary.

Mr. Speaker,

His Excellency requires the immediate Attendance of this House, in the Court Room.

Mr. Speaker left the Chair, and with the House, attended accordingly, and being returned, resumed the Chair, and reported, That his Excellency had been pleased to make a Speech to the House, and to present him with a Copy thereof, which being Read, is in the Words following, *to wit*.

*Gentlemen of the Senate, and General Assembly,*

THE Invasion of the State, on the Northern and Western Frontiers, and the Prospect of an Attack by General *Howe*, on the Fortresses in the Highlands, obliged me to prorogue the Legislature, and to deny myself the Pleasure of seeing our free and happy Constitution, so early organized as I could have wished. This I was the more readily led to do, as well from the busy Season of the Year, as the Confidence, which the People justly reposed in the Abilities and Integrity of the Gentlemen, in whom the Administration of Government was then vested.

At present, by the kind Interposition of Providence, the Cloud which hung over us, seems, in a great Measure dispelled, and we have Reason to expect a happy Issue to this Campaign.

The good Conduct, and Bravery of the Garrison of Fort *Schuyler*, seconded by the Intrepidity of the late gallant General *Herkemer* and the Militia of *Tryon* County, have entirely frustrated the Designs of the Enemy upon that Part of the State, and obliged them, after the Loss of a great Part of their Army, with the most of their Baggage and Artillery, disgracefully to abandon their Enterprize.

The complete Victory gained near *Bennington*, by the Valour of the Militia of *New-Hampshire*, *Massachusetts-Bay*, and the North-Eastern Counties of this State, together with a small Body of Continental Troops, we have Reason to hope, will check the Progress of the Enemy's Arms, and secure our Northern Frontiers. I have however, thought it proper, in order to strengthen the Army commanded by Major General *Gates*, and to repress the Incursions of the Savages to the Westward, to embody part of the Militia, and march them to the Northward. I have also made a further Draft for the Protection of the exposed Inhabitants of the County of *Westchester*, and for the Defence of the Posts in the Highlands, which I have the Pleasure of assuring you, are in so respectable a State of Defence, as to promise us Security against any Attack on that Quarter. This, together with the several Obstructions in *Hudson's-River*, has probably induced General *Howe* to alter his original Plan, and to adopt another, which, from the Vigilance of his Excellency General *Washington*, and the Spirit of the Southern Militia, we have Reason to hope, will prove equally abortive.

*Gentlemen of the Senate, and General Assembly,*

As the Security of every free State, must under God, depend upon its internal Strength; I take this early Opportunity to recommend to you, as a Matter of the utmost Importance,



portance, a speedy Revision of our Militia Laws, which having been drawn at the Commencement of this Controversy, are, from an alteration in Circumstances, become unapplicable to our present Situation.

The State of our Finances, likewise claims your serious Attention. The want of an organized Government, has hitherto rendered it impossible to make any Provision for sinking the Money, which the War obliged us to issue, and we have thus accumulated a Debt, which, if neglected, will not only prove burthensome to the State, but strike at the Credit of our Currency, which it behoves us so much to support.

You will easily perceive, Gentlemen, from the long Suspension of Law, and the Disorder incident thereto, the Necessity of making proper Provision for the Support of Government, on the Vigour and Dignity of which, the Tranquility of the State, will, in a great Measure depend.

As the Constitution has not prescribed the particular Mode, in which Elections are to be conducted, you will turn your Attention to some Law, for that very necessary Purpose.

Without detaining you any longer at this Time, I shall, Gentlemen, in the Course of the Session, take Occasion to lay before you such other Matters, as I conceive the Necessities of the State require.

*Gentlemen,*

The late Convention, having in their Plan of Government, manifested the most scrupulous Attention to the Freedom and Happiness of the People, and by marking the Line between the Executive, Legislative and Judicial Powers, wisely provided for the Security of each; it becomes our Duty to second their Endeavours: and as our Conduct will in some Measure, be a Rule for those who are hereafter entrusted with the Administration of Government; let us remain within the several Departments, in which the Constitution has placed us, and thereby preserve the same inviolate, and repay the Trust reposed in us, by our Constituents, when they made us the Guardians of their Rights.

I do not urge this Gentlemen, because I conceive the Caution necessary to you, but to shew the important Light in which I see this Object, and to convince you (however unequal I may find myself to the Task) that it shall always be my strenuous Endeavour, on the one Hand, to retain and exercise for the Advantage of the People, the Powers with which they have invested me; on the other, carefully to avoid the Invasion of those Rights, which the Constitution has placed in other Persons.

*Kingston, 10th September, 1777.*

GEO. CLINTON.

*Resolved,* That his Excellency's Speech be taken into Consideration immediately; and the House proceeded to the Consideration thereof accordingly.

*Ordered,* That his Excellency's Speech be forthwith printed.

*Resolved,* That a respectful Address be presented to his Excellency, in Answer to his Speech.

*Ordered,* That a Committee be appointed to prepare the said Address—and Mr. Morris, Mr. Graham and Mr. Tredwell, were appointed a Committee accordingly.

*Ordered,* That the further Consideration of his Excellency's Speech be referred to a Committee of the whole House; and that the said Committee take the same in Consideration, on Friday next.

*Ordered,* That the Votes and Proceedings of this House be printed from Time to Time being first perused and signed by the Speaker; and that no other person, but such as he shall appoint, do presume to print the same.

Then the House adjourned till nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. *September 11, 1777.*

THE House met pursuant to Adjournment.

The Secretary of the late Council of Safety, according to the Order of Yesterday, produced, the Returns of the Elections for Representatives, in Assembly, from the Sheriffs of *Albany, Dutchess, Westchester, Ulster, Orange, Tryon* and *Charlotte* Counties, and informed the House, that no Returns had been received from the Sheriffs of the Counties of *Cumberland* and *Gloucester*.

The Returns, so produced, were severally read and approved of.

*Ordered,* That they be filed among the Papers of this House.

*Ordered,* That the Sheriffs of the Counties of *Gloucester* and *Cumberland*, do make Return, to the Speaker of this House, of the Elections directed to be held in their Counties respectively, for Representatives in Assembly.

*Ordered,* That the Clerk of this House do transmit to the said Sheriffs respectively, Copies of the above Order.

Mr.



Mr. *Benson* moved in the Words following.

"I move that this House immediately proceed to nominate and appoint a Council of Appointment, and that *Philip Livingston*, Esq; from the Southern, *Zepheniah Platt*, Esq; from the Middle, *Abraham Yates*, Esq; from the Western, and *Alexander Webster*, Esq; from the Eastern District, be nominated and appointed accordingly."

Mr. *Tredwell* then moved, that the Consideration of Mr. *Benson's* motions be postponed till To-morrow Morning. Whereupon,

*Resolved*, *Nem. Con.* That the Consideration of Mr. *Benson's* Motion be postponed till To-morrow Morning.

*Ordered*, That the Speaker of this House, write to the several Members who are absent, requiring their Attendance with all convenient Speed.

Then the House adjourned till nine o'Clock To-morrow Morning.

F R I D A Y, 9 o'Clock, A. M. September 12, 1777.

THE House met pursuant to Adjournment.

Mr. *Brasfer* moved in the Words following.

"Mr. Speaker, I move that the whole of Mr. *Benson's* Motion, relative to the Nomination of the Council of Appointments, be expunged from the Minutes," and Debates arising thereon, was carried in the Negative, in the Manner following, *viz.*

For the Affirmative.

Mr. Brasfer,  
Mr. Killian Ranfelaer,  
Mr. Whiting,

Mr. Williams,  
Mr. Van Houten.  
Mr. Cooper,

Mr. Edsall,  
Mr. Hathorn,  
Mr. Birdfall,

Mr. Van Zandt,  
Mr. Coe,  
Mr. Duncomb.

For the Negative.

Mr. Bancker,  
Mr. Harpur,  
Mr. Jay,  
Mr. Taylor,  
Mr. R. Van Ranfelaer,  
Mr. Cuyler,  
Mr. Gordon,

Mr. Hardenbergh,  
Mr. Schoonmaker,  
Mr. Wisner,  
Mr. Rea,  
Mr. L. Hommedieu,  
Mr. Tredwell,  
Mr. Weeks,

Mr. Morris,  
Mr. Mills,  
Mr. Graham,  
Mr. Crane,  
Mr. Drake,  
Mr. Swartwout,  
Mr. Hoffman,

Mr. Livingston,  
Mr. Morehouse,  
Mr. Brinkerhoff,  
Mr. Benson,  
Mr. Clarke,  
Mr. Van Horne.

Mr. *Morris*, from the Committee appointed to prepare the Draft of an Address to his Excellency the Governor, reported that the Committee had prepared a Draft accordingly, which he read in his place, and afterwards delivered it in at the Table, where the same was again read.

*Ordered*, That the said Draft be referred to the Consideration of a Committee of the whole House, and that the House resolve itself into a Committee thereupon immediately.

The House then resolved itself into a Committee of the whole House, upon the said Draft, and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Hoffman* reported, That after reading the said Draft thro' in Committee, and reading it again by Paragraphs; on reading the Title, Mr. *Brasfer* moved, That the Title of the Answer to the Governor's Speech, be in the Words following, *viz.* "The Answer of the Representatives of the People of the State of *New-York*, in Assembly, to the Speech of his Excellency *George Clinton*, Esq; Governor of the said State, General and Commander in Chief of all the Militia, and Admiral of the Navy of the same."

That Debates arose thereon, and the Question being put, it was carried in the Negative. That the Title of the said Address, as reported, being then again read, was in the Words following, *viz.*

"The Respectful Address of the Assembly of the State of *New-York*, to his Excellency *George Clinton*, Esq; in Answer to his Speech of the Tenth Instant." That Mr. *Morris* then moved, that after the Word *New-York*, the Word *to*, be obliterated, and the Words in Answer to the Speech of, there inserted, and after the Word *Esq*; the remainder be obliterated, and the Words Governor of the said State, General and Commander in Chief of all the Militia, and Admiral of the Navy of the same, be inserted. That the same being approved of *Nem. Con.* the Title was amended accordingly.

That the said Address, as amended, was then read, and approved of by the said Committee, and agreed to be reported. That the said Committee directed him to move for Leave to sit again upon his Excellency's said Speech.

*Ordered*, That the said Committee have Leave to sit again.

*Ordered*, That the further Consideration of the Address in Answer to his Excellency's Speech, be postponed till the Afternoon.

*Ordered*, That the further Consideration of Mr. *Benson's* Motion for the Nomination of a Council of Appointment, be postponed till To-morrow.

Then the House adjourned till four o'Clock this Afternoon.

Fourth



Four o'Clock, P. M. *September 12, 1777.*

The House met pursuant to Adjournment, Mr. *Johannis Vider*, one of the Representatives returned from the County of *Tryon*, appearing,

*Ordered*, That he take his Seat.

The Order of the Day being read, the House proceeded to the further Consideration of the Address, in Answer to his Excellency's Speech.

The same being read, was then read by Paragraphs and amended.

The same as amended being then read,

*Ordered*, That it be engrossed.

*Ordered*, That Mr. Speaker request the Rev. Doctor *Rogers* to attend, and perform Prayers before this House every Morning, and preach on Sundays; and that Mr. Speaker inform his Excellency the Governor, and the President of the Senate, of this Request.

Then the House adjourned till nine o'Clock To-morrow Morning.

S A T U R D A Y, 9 o'Clock, A. M. *September 13, 1777.*

THE House met pursuant to Adjournment. The Order of the Day being read,

*Ordered*, That the further Consideration of Mr. *Benson's* Motion, for the Nomination of the Council of Appointment, be postponed till Tuesday next.

The engrossed Address to his Excellency, was read and approved of by the House.

*Ordered*, That Mr. Speaker sign the said Address, in Behalf of the House, which is in the Words following, *viz.*

*To his Excellency George Clinton, Esq; Governor of the State of New-York, General and Commander in Chief of all the Militia, and Admiral of the Navy of the same*

The respectful Address of the Assembly of the said State, in Answer to his Excellency's Speech at the Opening of the Session.

WE the Representatives, in Assembly, of the State of *New-York*, beg Leave to congratulate you upon your Election to the Office of first Magistrate, and to assure you that we repose Confidence in your Integrity and Abilities. From your early and unremitting Efforts in the Cause of Freedom, we have Reason to expect that you will be a faithful Guardian, of those Rights, which it is your Duty to assert and defend.

We are happy, Sir, that in meeting you at this Time, an Opportunity offers itself to assist in the Organization of our free Constitution. And while we deeply lament those Occurrences, which have hitherto prevented the sitting of the Legislature, it gives us Pleasure to agree with your Excellency in Opinion, that the Confidence reposed in the late Council of Safety, was justly founded.

With most humble Gratitude, we acknowledge the Kindness of our Benevolent Creator, in dispelling the Gloom which invironed our public Affairs. And we rejoice in that Firmness and Intrepidity with which, the late General *Herkemer* and his brave Countrymen, seconded by the Valour and Perseverance of the Garrison of Fort *Schuyler*, have frustrated the Designs of the Enemy in that Quarter.

The complete Victory gained near *Bennington*, by General *Starke*, and the gallant Troops under his Command, must be grateful to every *American* Bosom. And we trust it will tend to convince our haughty Foes, that to destroy the Spirit of Liberty, they must destroy the Inhabitants of this extensive Country.

It gives us great Satisfaction to learn, from your Excellency, the respectable Situation of the several Posts in the Highlands. But although from the Strength of that Country, and the signal Success of the *American* Arms, in the Eastern and Western Parts of this State, we have great Reason to expect a happy Issue to this Campaign; yet as it is at all Times dangerous to be lulled into Security by favourable Events, we cannot but approve of the Steps you have taken to strengthen the Army, commanded by General *Gates*, to repress the Incursions of the Savages, to protect the exposed Inhabitants of the County of *Westchester*, and to defend the Posts in the Highlands.

We are fully convinced Sir, of the Necessity of revising the Militia Laws, and it shall be our early Study, in Conjunction with the Senate, to establish a strict Discipline, and Subordination in the Militia of this State.

We readily perceive, that the public Debts will require our early and attentive Consideration, as well to prevent their further Accumulation, as to support the Credit of our Currency. Many Evils have arisen, from the Want of a Government properly organized, to which we shall endeavour to apply proper Remedies. We shall also turn our Attention to the Support of the Officers of Government, in such Manner, that they may be enabled to act with the Vigour and Dignity, becoming their Station.

We



We further take the Liberty of assuring your Excellency, that we shall readily concur, with the Senate, in the enacting of a Law for regulating the Mode of Elections. And that we shall, at all Times, pay a proper Regard to such Matters, as the Necessities of the State may induce you to lay before us, during the Course of the Session.

The several Precautions taken by the late Convention, for securing, to the Subjects of this State, the full Enjoyment of political, civil and religious Liberty, do equal Honour to their Wisdom and Virtue. We thoroughly approve your Excellency's Intention to retain and exercise all the Powers with which you are invested, and we trust that you will exert yourself vigorously to execute the Laws, for the Restoration of good Order and the Suppression and Punishment of Vice and Immorality—While, as faithful Guardians of the Rights of our Constituents, we are determined neither to encroach upon the Privileges of others, nor suffer our own to be invaded; we shall heartily concur in all Things for the Advantage of the People over whom you have been chosen to preside.

*By Order of the Assembly of the State of New-York.*

WALTER LIVINGSTON, Speaker.

ASSEMBLY CHAMBER, Kingston, September 13, 1777.

*Resolved*, That the said Address be presented to his Excellency, by the whole House.

*Ordered*, That Mr. Robert Van Rensselaer, and Mr. Brasber, wait on his Excellency, to know when and where he will be pleased to be attended by this House, with their respectful Address.

Mr. Robert Van Rensselaer reported, that Mr. Brasber and himself, had waited on his Excellency, and delivered their Message; and that his Excellency had been pleased to say, he would receive the Address of this House, at twelve o'Clock this Day, at the Dwelling-House of Mr. Christopher Tappen, in this Town.

The Petition of John Dougherty, a lame Man, formerly a Soldier, dated this Day, was presented and read.

*Ordered*, That it lie on the Table, for the Perusal of the Members.

Mr. Speaker left the Chair, and with the House attended his Excellency with their respectful Address, according to his Appointment, and being returned, resumed the Chair, and reported, that the House had attended his Excellency with their respectful Address; That his Excellency had been pleased to return an Answer thereto, and deliver him a Copy thereof, which is in the Words following, *viz.*

"Gentlemen,

"Accept my sincere Thanks for your kind Congratulations on my Election to the Office of Chief Magistrate of the State, and for the Confidence you are pleased to repose in me.

"It affords me the highest Pleasure to find, that the Measures I have pursued for the Defence of the State, meet with the Approbation of your Honourable House; and that you agree with me in the Necessity of carrying into Execution, the several Matters recommended to the Consideration of the Legislature.

"In the Politeness and Respect diffused thro' your Address, I discover the great Sense you entertain of the Dignity of the People, from whom the important Office I hold, is immediately derived, and on their Behalf, I make you my warmest Acknowledgments.

"As it is my Duty, so by the Blessing of God, it shall be my constant Care and Endeavour, to execute the Laws, maintain the Peace and Freedom, and support the Honor, Independence and Dignity of the People of this State. I should do Violence to the Opinion I entertain of their Wisdom, were I to harbour a Doubt but that their Representatives in Assembly, will, at all Times, cheerfully concur in every Measure necessary for the Accomplishment of those great and important Purposes."

Then the House adjourned until nine o'Clock on Monday Morning next.

MONDAY, 9 o'Clock, A. M. September 15, 1777.

THE House met pursuant to Adjournment, and adjourned till four o'Clock in the Afternoon.

4 o'Clock, P. M. September 15.

THE House met pursuant to Adjournment.

Peter Vrooman, Esq; appeared, and took his Seat.

Mr. Williams moved, That the Appointment of Committees be postponed, until the Determination of the Question about the Manner of nominating them. Debates arose thereon, and the Question being put, it was carried in the Negative, in the Manner following.

C

For



For the Negative.

Mr. Edfal,	Mr. Birdfall,	Mr. Morris,	Mr. Whiting,	Mr. Van Horne,	Mr. Livingston,
Mr. Bancker,	Mr. Coe,	Mr. Vrooman,	Mr. Mills,	Mr. R. Van Renselaer,	Mr. Crane.
Mr. Hoffman,	Mr. Benson,	Mr. Veeder,	Mr. Cuyper,	Mr. Taylor,	
Mr. Wisner,	Mr. Rea,	Mr. Schoonmaker,	Mr. Hathorn,	Mr. Van Houten,	
Mr. John Cuyler,	Mr. Hardenbergh,	Mr. Van Zandt,	Mr. Clarke,	Mr. Morehouse,	
Mr. Graham,	Mr. Tredwell,	Mr. L'Hommedieu,	Mr. Gordon,	Mr. K. Van Renselaer,	

For the Affirmative.

Mr. Williams,	Mr. Harpur,	Mr. Drake,	Mr. Brasher,
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Mr. *Morris* then moved in the Words following, *viz.*

"I move that the House proceed to the Appointment of a Committee to revise the Militia Laws, a Committee of Ways and Means, a Committee of Privileges and Elections, a Committee of Grievances, and a Committee of Courts of Justice."

*Ordered Nem. Con.* That the Consideration of this Motion, be postponed until To-Morrow.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. September 16, 1777.

**T**HE House met pursuant to Adjournment.

*Israel Honeywell*, jun. Esq; appeared, and took his Seat.

The several Orders of the Day were read.

The House then proceeded to the Consideration of Mr. *Benson's* Motion of the 11th Instant,. The same being read, Mr. *Tredwell* moved, "That after the Words, *and that*, the subsequent Part of the Clause be struck out, and the following Words inserted, *viz.* *Each Member proceed to give in, and the Clerk to take down his Vote for four Senators, to constitute the said Council.*"

Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the Manner following, *viz.*

For the Affirmative.

Mr. Van Zandt,	Mr. Harpur,	Mr. Wickes,	Mr. Rea,	Mr. Edfal,
Mr. Coe,	Mr. Wisner,	Mr. Crane,	Mr. Cuyper,	Mr. Mills,
Mr. Duncomb,	Mr. Veeder,	Mr. Drake,	Mr. Clarke,	Mr. Hardenbergh,
Mr. Williams,	Mr. Birdfall,	Mr. Tredwell,	Mr. Van Houten,	Mr. Whiting,
Mr. Bancker,	Mr. Brasher,	Mr. Schoonmaker,	Mr. Graham,	Mr. L'Hommedieu.

For the Negative.

Mr. R. Van Renselaer,	Mr. Livingston,	Mr. Gordon,	Mr. Hoffman,	Mr. Van Horne.
Mr. K. Van Renselaer,	Mr. Benson,	Mr. Taylor,	Mr. Morris,	
Mr. Vrooman,	Mr. Morehouse,	Mr. Cuyler,	Mr. Honeywell,	

Mr. *Morris* then moved, that the Motion be divided, and that a Question be put on the first Part of the Motion, which being read, is in the Words following, *viz.*

"I move that this House immediately proceed to nominate and appoint a Council of Appointment."

The Question being put thereon, it was agreed to, *Nem. Con.*

Therefore *Resolved*, That this House immediately proceed to nominate and appoint a Council of Appointment.

The second Part of the Motion, as amended, was then read in the Words following, *viz.*

"And that each Member proceed to give in, and the Clerk to take down, his Vote, for four Senators, to constitute the said Council."

Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the same Manner as on the last preceding Division.

Therefore *Resolved*, That each Member proceed to give in, and the Clerk to take down, his Vote, for four Senators, to constitute the said Council of Appointment.

Mr. *Morris* then moved, that *Zephaniah Platt*, Esq; be nominated as one of the Council, for the Appointment of Officers within this State.

Mr. *Harpur* then moved, Whether it is not the Sense of the House, that Mr. *Morris's* Motion is inconsistent with the next preceding Determination of the House? The Question being put, it was carried in the Affirmative, in Manner following, *viz.*

For the Affirmative.

Mr. Van Zandt,	Mr. Harpur,	Mr. Wickes,	Mr. Rea,	Mr. Mills,
Mr. Coe,	Mr. Wisner,	Mr. Crane,	Mr. Clarke,	Mr. Hardenbergh,
Mr. Duncomb,	Mr. Veeder,	Mr. Drake,	Mr. Van Houten,	Mr. Whiting,
Mr. Williams,	Mr. Birdfall,	Mr. Tredwell,	Mr. Graham,	Mr. L'Hommedieu,
Mr. Bancker,	Mr. Brasher,	Mr. Schoonmaker,	Mr. Edfal,	Mr. Hoffman.

For



## For the Negative.

Mr. R. V. Renselaer,  
Mr. K. V. Renselaer,  
Mr. Vrooman,

Mr. Livingston,  
Mr. Benson,  
Mr. Morehouse,

Mr. Gordon,  
Mr. Taylor,  
Mr. Cuyler,

Mr. Morris,  
Mr. Honeywell,  
Mr. Van Horne,

Mr. Cuyper.

Therefore *Resolved*, That Mr. Morris's Motion is inconsistent with the next preceding Resolution of the House.

Mr. Tredwell then moved, that the Members proceed, according to the Resolution of the House of this Day, to the Nomination of four Senators, to be appointed a Council of Appointment, agreeable to the Constitution of this State.

The Question being put thereon, it was carried in the Affirmative, with only one Dissent.

Therefore *Ordered*, That the Members proceed, according to the Resolution of this Day, to the Nomination of four Senators, to be appointed a Council of Appointment, agreeable to the Constitution of this State.

The Members then respectively nominated as follows, *viz.*

	Mr. Yates.	Mr. Scott.	Mr. Woodhull.	Mr. Webster.	Mr. P. Livingston.	Mr. Roosevelt.	Mr. Platt.
Mr. Van Zandt,	I	I	I	I			
Mr. Coe,	I	I	I	I			
Mr. Duncomb,	I	I	I	I			
Mr. Williams,	I	I	I	I			
Mr. Bancker,	I	I	I	I			
Mr. Harpur,	I	I	I	I			
Mr. K. V. Renselaer,	I	I	I	I			
Mr. Vrooman,	I	I	I	I			
Mr. G. Livingston,	I	I	I	I			
Mr. Wisner,	I	I	I	I			
Mr. Morehouse,	I	I	I	I			
Mr. Veeder.	I	I	I	I			

Mr. Taylor being called on for his Nomination, moved in the Words following, *viz.*

"I move, that the Sense of the House be taken, whether the words following, *viz.* (each Member proceed to give in, and the Clerk to take down, his Vote, for four Senators, to constitute the said Council) imply, that the Members are to nominate the Members to constitute the Council of Appointment."

The Sense of the House being thereupon taken, it was carried in the Affirmative, in the Manner following, *viz.*

## For the Affirmative.

Mr. Van Zandt,	Mr. Harpur,	Mr. Drake,	Mr. Clark,	Mr. Mills,	Mr. Veeder.
Mr. Coe,	Mr. K. Van Renselaer,	Mr. Crane,	Mr. Van Houten,	Mr. Hardenbergh,	
Mr. Duncomb,	Mr. Vrooman,	Mr. Wickes,	Mr. Edsal,	Mr. Whiting,	
Mr. Williams,	Mr. Brather,	Mr. Schoonmaker,	Mr. Graham,	Mr. L'Hommedieu,	
Mr. Bancker,	Mr. Honeywell,	Mr. Cuyper,	Mr. Birdfall,	Mr. Wisner,	

## For the Negative.

Mr. Van Horne,	Mr. Morris,	Mr. Cuyler,	Mr. Gordon,	Mr. Livingston,	Mr. Tredwell.
Mr. Benson,	Mr. Hoffman,	Mr. R. V. Renselaer,	Mr. Taylor,	Mr. Morehouse,	

The other Members then respectively proceeded to the Nomination of four Senators, to be appointed a Council of Appointment, *viz.*

	Mr. Yates.	Mr. Scott.	Mr. Woodhull.	Mr. Webster.	Mr. Lawrence.	Mr. Wisner.	Mr. J. Williams.	Mr. Platt.	Mr. Roosevelt.	Mr. P. Livingston.	Mr. Duer.
Mr. Taylor,	I	I	I	I	I	I	I	I	I	I	I
Mr. Gordon,	I	I	I	I	I	I	I	I	I	I	I
Mr. Cuyler,	I	I	I	I	I	I	I	I	I	I	I
Mr. R. V. Renselaer,	I	I	I	I	I	I	I	I	I	I	I
Mr. Hoffman,	I	I	I	I	I	I	I	I	I	I	I
Mr. Brather,	I	I	I	I	I	I	I	I	I	I	I
Mr. Morris,	I	I	I	I	I	I	I	I	I	I	I
Mr. Benson,	I	I	I	I	I	I	I	I	I	I	I
Mr. Honeywell,	I	I	I	I	I	I	I	I	I	I	I
Mr. Drake,	I	I	I	I	I	I	I	I	I	I	I
Mr. Crane,	I	I	I	I	I	I	I	I	I	I	I
Mr. Wickes,	I	I	I	I	I	I	I	I	I	I	I
Mr. Van Horne.	I	I	I	I	I	I	I	I	I	I	I

Mr.



	Mr. Yates.	Mr. Scott.	Mr. Woodhull.	Mr. Webster.	Mr. Lawrence.	Mr. Wisner.	Mr. J. Williams.	Mr. Platt.	Mr. Roosevelt.	Mr. P. Livingston.	Mr. Duer.
Mr. Schoonmaker,	I	I	I	I	I	I	I	I	I	I	I
Mr. Cuyper,	I	I	I	I	I	I	I	I	I	I	I
Mr. Rea,	I	I	I	I	I	I	I	I	I	I	I
Mr. Clark,	I	I	I	I	I	I	I	I	I	I	I
Mr. Van Houten,	I	I	I	I	I	I	I	I	I	I	I
Mr. Edsall,	I	I	I	I	I	I	I	I	I	I	I
Mr. Graham,	I	I	I	I	I	I	I	I	I	I	I
Mr. Tredwell,	I	I	I	I	I	I	I	I	I	I	I
Mr. Birdfall,	I	I	I	I	I	I	I	I	I	I	I
Mr. Mills,	I	I	I	I	I	I	I	I	I	I	I
Mr. Hardenbergh,	I	I	I	I	I	I	I	I	I	I	I
Mr. Whiting,	I	I	I	I	I	I	I	I	I	I	I
Mr. L' Hommedieu.	I	I	I	I	I	I	I	I	I	I	I

Mr. Morris moved for a Resolution, in the Words following, viz.

"Resolved, That every Person who hath been named as a Member of the Council of Appointment, is in Nomination."

The Question being put, it was carried in the Negative, in the Manner following, viz.

For the Affirmative,

Mr. Van Horne,	Mr. Morris,	Mr. Cuyler,	Mr. Morehouse,	Mr. R. Van Rensselaer,
Mr. Hoffman,	Mr. Taylor,	Mr. Gordon,	Mr. Livingston,	Mr. L' Hommedieu.

For the Negative,

Mr. Van Zandt,	Mr. Vrooman,	Mr. Benson,	Mr. Van Houten,	Mr. Hardenbergh,
Mr. Coe,	Mr. Brasher,	Mr. Wickes,	Mr. Edsall,	Mr. Whiting,
Mr. Duncomb,	Mr. Honeywell,	Mr. Schoonmaker,	Mr. Graham,	Mr. Wisner,
Mr. Williams,	Mr. Drake,	Mr. Cuyper,	Mr. Birdfall,	Mr. Veeder,
Mr. Bancker,	Mr. Crane,	Mr. Clark,	Mr. Mills,	Mr. Rea.
Mr. K. Van Rensselaer,				

The Clerk then by Order of the House, summed up the Votes delivered in as afore-said.

The House then proceeded to the Appointment of a Council of Appointment.

Mr. Tredwell then moved for a Resolution, in the Words following, viz.

"Resolved, That Alexander Webster, Esq; one of the Senators of the Eastern District, who has for that Purpose, been nominated by the House, be, and is hereby appointed a Member of the Council of Appointment of this State."

The Question being put thereon, it was carried in the Affirmative.

Mr. Brasher then moved for a Resolution, in the Words following, viz.

"Resolved, That Jesse Woodhull, Esq; one of the Senators of the Middle District, who has for that Purpose, been nominated by the House, be, and is hereby appointed a Member of the Council of Appointment of this State."

Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the Manner following, viz.

For the Affirmative,

Mr. Van Zandt,	Mr. Vrooman,	Mr. Schoonmaker,	Mr. Graham,	Mr. Hardenbergh,
Mr. Coe,	Mr. Brasher,	Mr. Cuyper,	Mr. Tredwell,	Mr. Whiting,
Mr. Duncomb,	Mr. Honeywell,	Mr. Clark,	Mr. Rea,	Mr. Wisner,
Mr. Williams,	Mr. Drake,	Mr. Van Houten,	Mr. Birdfall,	Mr. Veeder,
Mr. Bancker,	Mr. Wickes,	Mr. Edsall,	Mr. Mills,	

For the Negative,

Mr. Van Horne,	Mr. Hoffman,	Mr. Gordon,	Mr. Morehouse,	Mr. K. Van Rensselaer,
Mr. Benson,	Mr. Cuyler,	Mr. Taylor,	Mr. Crane,	Mr. L' Hommedieu.
Mr. Morris,	Mr. R. Van Rensselaer,	Mr. Livingston,		

Mr. Van Zandt then moved for a Resolution, in the Words following, viz.

"Resolved, That Abraham Yates, Esq; one of the Senators of the Western District, who has for that Purpose, been nominated by the House, be, and is hereby appointed a Member of the Council of Appointment for this State."

The Question being put thereon, it was carried in the Affirmative.

Mr. Birdfall then moved for a Resolution, in the Words following, viz.

"Resolved, That John Morine Scott, Esq; one of the Senators of the Southern District, who has for that Purpose, been nominated by the House, be, and is hereby appointed one



one of the Council of Appointment for this State."

The Question being put thereon, it was carried in the Affirmative.

Thereupon *Resolved*, That *John Morin Scott*, Esq; a Senator from the Southern District, *Jesse Woodbull*, Esq; a Senator from the Middle District, *Abraham Yates*, jun. Esq; a Senator from the Western District, and *Alexander Webster*, Esq; a Senator from the Eastern District, be, and they hereby are nominated and appointed, according to the Form and Effect of the Article in the Constitution of this State, in that Case made and provided, a Council for the Appointment of all Officers within this State, other than those, who by the Constitution, are directed to be otherwise appointed.

*Ordered*, That a Copy of the last Resolution be signed by the Speaker, to be delivered to his Excellency the Governor.

*Ordered*, That the Order of the Day, for the Appointment of Committees, be postponed until To-Morrow.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. September 17, 1777.

THE House met pursuant to Adjournment.

Mr. Speaker produced to the House a Copy of the Resolution of Yesterday, for the nominating and appointing a Council of Appointment; and having signed the same,

*Ordered*, That Mr. *L'Homedieu* and Mr. *Gordon* wait upon his Excellency the Governor, with the said Copy.

A Letter from *George Measam*, Commissary General of Clothing for the Northern Army, dated at *Albany* on the 13th Instant, directed to the Speaker, and requesting a Number of Shoes for the Northern Army, was read.

*Ordered*, That it be referred to a Committee---That Mr. *Taylor*, Mr. *Brashear* and Mr. *Livingston*, be a Committee for that Purpose, and that they Report thereon with all convenient Speed.

A Petition from *Peter I. Lampman* and *Peter Lampman*, confined on Board the Fleet Prison, was presented to the House and read.

*Ordered*, That the same be delivered to Mr. *Benson*, one of the Commissioners for Conspiracies, &c.

The Order of the Day being read.

*Resolved*, *Nem. Con.* That the several Committees, therein mentioned, be appointed.

*Ordered*, That Mr. *Morehouse*, Mr. *Drake*, Mr. *Benson*, Mr. *Gordon* and Mr. *Van Houten*, or any three or more of them, be a Committee to revise the Militia Laws; and that they prepare and report a Draft of a Bill, for the better Regulation of the Militia of this State.

*Ordered*, That Mr. *Killian Van Rensselaer*, Mr. *Morris*, Mr. *Bancker*, Mr. *Van Horne* and Mr. *Clark*, or any three or more of them, be a Committee of Ways and Means, and that they prepare and report a Bill for raising Monies, to be applied towards the public Exigencies of this State.

*Ordered*, That Mr. *L'Homedieu*, Mr. *Birdsall*, Mr. *Van Zandt*, Mr. *Williams* and Mr. *Taylor*, or any three or more of them, be a Committee of Privileges and Elections---That all Members that come, have Voices; that they have Power to send for Persons, Papers and Records---That they report their Proceedings, with their Opinion thereon, to the House from Time to Time---And that they prepare and report a Bill for holding Elections for Governor, Lieutenant Governor, Senate and Assembly for this State.

*Ordered*, That Mr. *Brashear*, Mr. *Mills*, Mr. *Tredwell*, Mr. *Harpur*, Mr. *Wisner*, Mr. *Wickes* and Mr. *John Cuyler*, or any four or more of them, be a Committee for Grievances---That they have Power to send for Persons and Papers---And that they report their Proceedings, with their Opinion thereon, to the House, from Time to Time.

*Ordered*, That Mr. *R. Van Rensselaer*, Mr. *Livingston*, Mr. *Schoonmaker*, Mr. *Hoffman*, Mr. *Benson*, Mr. *Jay* and Mr. *Morris*, or any four or more of them, be a Committee for Courts of Justice---That they have Power to send for Persons, Papers and Records---And that they report their Proceedings, with their Opinion thereon, to the House, from Time to Time.

*Ordered*, That the Committee, last mentioned, be also a Committee, to see what Laws are expired or near expiring, and to report to the House, from Time to Time, which of them they judge necessary to be revived or continued; and likewise what new Laws they shall conceive necessary to be made for the Benefit of this State.

A Message from his Excellency the Governor, received by Mr. *Lush*, his private Secretary, in the Words following, viz.

D

GENTLEMEN,



GENTLEMEN,

FROM a Number of Papers this Day received from the Committee of Tryon County, Copies of which accompany this Message, you will learn the Situation of our public Affairs in that Quarter. There is Reason to believe, that the Orders, which I issued to General *Harkbimer*, to embody Five Hundred of his Militia, for the Defence of the exposed Inhabitants of the Western Frontiers, against the Incursions of the Enemy, and which he must have received but a short Time before his Death, have not been carried into Execution; as I find the Committee expect One Hundred Rifle-Men, and Four Hundred of the Militia of the other Counties, to be detached from the Northern Army for that Purpose, agreeable to a Resolve of the late Council of Safety.

The Militia of that County being greatly enervated and dispirited by the Loss of many of their bravest Officers and Men in the late Action under General *Harkbimer*, and the Inhabitants much exposed to the Ravages of the Enemy, I submit to the Legislature the Propriety of making Provision for, embodying and paying such a Number of Troops as may be judged necessary for the Defence of that Part of the Country.

The adjusting and discharging the Pay, due to their Militia for public Services, also merits the Attention of the Legislature. And if Commissioners were appointed for settling the Disorders subsisting in the County, arising from a Variety of Causes, mentioned in the Papers referred to, I think many valuable Purposes would be thereby answered.

A Number of Prisoners, charged with the Offences specified in the Papers herewith delivered, were apprehended by different Persons, and have this Day arrived from *Westchester* and Tryon Counties. It appears to me highly necessary, that effectual Provision be made, for the more safe Custody and better Accommodation of Prisoners, as well as for apprehending and detaining Persons, whose going at large might be dangerous to the State. Justice demands, that Means be devised for the Examination and Discharge of such Prisoners as may have been deprived of their Liberty, without due Cause. The usual and ordinary Course of Law, appears inadequate to the Exigency of our Affairs, and the wide Extension of the Habeas Corpus Act, may, unless restrained for a Time, with Respect to Persons charged with treasonable Practices, prove injurious to the public Interest.

You will be pleased, Gentlemen, to communicate to the Honorable the Senate, all such Messages as you may, from Time to Time, receive from me.

Kingston, September 16, 1777.

GEO. CLINTON.

Ordered, That the further Consideration of his Excellency's Message, be deferred until To-Morrow, and that the Clerk prepare a certified Copy of the said Message, for the Honorable the Senate; and Copies of the Papers therewith enclosed, to be retained by this House.

Then the House adjourned until nine o'clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. September 18, 1777.

THE House met pursuant to Adjournment.

The Order of the Day being read, his Excellency's Message of Yesterday, with all the Papers accompanying the same, was read.

Ordered, That the same be committed to Mr. *Morris*, Mr. *L'Homedieu*, Mr. *Benson* and Mr. *Veeder*, or any three of them, and that they report thereon with all convenient Speed.

And, Ordered, That the Clerk of this House wait on, and deliver to the Honorable the Senate, a certified Copy of the said Message, together with all the Papers received with the said Message.

The Clerk, of the Honorable the Senate, came into the Assembly Chamber, and delivered to the Speaker a certified Copy of a Message from his Excellency to the Senate, dated the twelfth Instant, with sundry original Papers accompanying the said Message; and a certified Copy of an Order of the Senate, that a Copy of the said Message, with the original Papers accompanying the same, be delivered to the Honorable the House of Assembly, by the Clerk of the Senate.

His Excellency's said Message, being read, is in the Words following, viz.

GENTLEMEN,

THE Papers, accompanying this, containing the Proceedings of the Committees from the States of *New-Hampshire*, *Massachusetts-Bay*, *Rhode-Island* and *New-York*, at their Meeting, held at *Springfield*, in the County of *Hampshire*, the thirtieth Day of *July*, 1777, for the Purpose of holding a Conference respecting the State of the Paper Currency of the said Governments, and other Matters therein mentioned, were referred to me by the late Council



cil of Safety of this State, with a Request to lay the same before the Legislature at their first Meeting. I therefore take this early Opportunity, of communicating those Papers to your Honorable House, and through it to the Honorable the General Assembly, in such Manner as you shall think most proper.

Kingston, September 12, 1777.

GEO. CLINTON.

*A true Copy examined by*  
ROBERT BENSON, (Clerk to the Senate of the State of New-York.)

The Papers, accompanying the said Message, were also read.

Ordered, That they be committed and delivered to the Committee of Ways and Means.

Mr. Benson then moved for Leave to bring in a Bill for the Delivery of the Records of this State, to the respective Officers, under the present Constitution, authorised to have the Charge and Custody of them.

Ordered, That Leave be given accordingly.

Ordered, That Mr. Morris, Mr. Robert Van Rensselaer and Mr. Livingston, be a Committee to bring in a Bill for constituting a Council of State to assist the Governor, for the Time being, to administer the Government during the Recess of the Legislature.

The Petition of Thomas Haddon, confined in the Gaol of Ulster County, for passing counterfeited Bills of Credit of the Continental Currency, was read and ordered to lie on the Table.

The Petition of John Dods and three other Persons, apprehended as inimical to the Liberties of the Country, and now confined in the said Gaol, was read.

Ordered, That it be delivered to the Commissioners for Conspiracies, &c.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. September 19, 1777.

THE House met, pursuant to Adjournment.

A Petition signed by Abraham Legget, Chairman, on Behalf of the Committee and Field Officers of Westchester County, relative to some Troops raised by the said Committee, under the Name of Guards or Rangers, was read.

Ordered, That it be referred to a Committee, to report thereon, with all convenient Speed; and Mr. Graham, Mr. Vrooman and Mr. Jay, were appointed a Committee accordingly.

Mr. Morris, from the Committee appointed for that Purpose, reported a Bill, entitled, "*An Act to constitute a Council of State, to assist the Governor, for the Time being, to administer the Government, during the Recess of the Legislature,*" which was read the first Time, and ordered a second reading.

Ordered, That the Printer of the Minutes of this House, deliver to his Excellency the Governor, to the Honorable the President, to each Member and to the Clerk of the Senate; to the Speaker, to each Member, and to the Clerk of this House; to the Chancellor, and to each of the Justices of the Supreme Court, and to the Attorney General, a Copy of the Minutes—And that he also deliver three Copies to the Clerk of the Assembly, for their Use.

Mr. Benson, according to leave, presented to the House a Bill, entitled, "*An Act for the Delivery of the Records of this State, to the respective Officers, under the present Constitution, authorised to have the Charge and Custody of them,*" which was read the first Time, and ordered a second reading.

Then the House adjourned until four o'Clock this Afternoon.

4 o'Clock, P. M.

A Petition of Abraham Legget, Chairman of the Committee of Westchester County, dated the ninth Instant, relating to a Number of Poor, from the City of New-York, now in the said County, was read.

Ordered, That the same be referred to the Committee, to whom was referred the former Petition of the said Abraham Legget.

The Bill, entitled, "*An Act to constitute a Council of State, to assist the Governor, for the Time being, to administer the Government, during the Recess of the Legislature,*" was read the second Time, and committed to a Committee of the whole House.

The Bill, entitled, "*An Act for the Delivery of the Records of this State to the respective Officers, under the present Constitution, authorised to have the Charge and Custody of them,*" was read the second Time, and committed to a Committee of the whole House.

Mr. Morris moved for Leave to bring in a Bill, to oblige Constables faithfully to perform the Duties of their Office.

Ordered, That Leave be given accordingly.

Then the House adjourned until nine o'Clock To-Morrow Morning.

Saturday,



SATURDAY, 9 o'Clock, A. M. September 20, 1777.

THE House met pursuant to Adjournment.

Mr. *Brashear*, from the Committee of the whole House, to whom was referred, the Bill, entitled, "*An Act to constitute a Council of State to assist the Governor, for the Time being, to administer the Government, during the Recess of the Legislature,*" reported,

That he was directed by the Committee to report to the House, that they had made some Progress in the said Bill, and had directed him to move for Leave to sit again. Thereupon Resolved, That the said Bill be taken into Consideration on Monday next.

Resolved, That this House will, on Tuesday next, proceed to take into Consideration, what Steps ought to be taken, previous to the Nomination of Delegates from this State, in General Congress.

Then the House adjourned until nine o'Clock on Monday Morning next.

BY Virtue of an Order of the Assembly of the State of New-York, I do appoint JOHN HOLT to print these Votes, and that no other Person presume to print the same.

WALTER LIVINGSTON, Speaker.

### ERRATA.

- 1st Page, In the fourth Line from the Beginning, for *Member*, read *Members*.  
do. and following Pages throughout, for *Van Ranselaer*, read *Van Rensselaer*.  
do. for *Killiam*, read *Killian*.
- 2d do. for *Gouverneur*, read *Gouverneur*,  
do. for *Roeluff*, read *Roeloff*.  
do. for *Moorbouse*, read *Morebouse*.  
do. sixteenth Line from the Bottom, at the End, for *To-Morrow*, read *Monday*.
- 6th do. second Line from the Top, at the End, for *un*, read *in*.  
do. eleventh Line from the Bottom, read *produced*.  
do. at the Beginning of the last Line, add the Word *of*.
- 7th do. third Line from the Top, for *Zepheniab*, read *Zephaniab*.  
do. sixth Line do. for *Motions*, read *Motion*.  
do. seventeenth Line do. for *Appointments*, read *Appointment*; also, dele *and*, and the *Comma*, after the Word *Minutes*, and insert a *Period*.  
do. eighteenth Line do. between the Words *thereon* and *was*, insert, *and the Question being put*.  
do. twenty-first Line do. between the Words *Killian* and *Rensselaer*, insert *Van*.  
do. thirtieth Line do. for *Weeks*, read *Wicks*.
- 8th do. two Lines from the Top, for *Vider*, read *Veeder*.  
do. twenty-fifth Line from the Bottom, for *invironed*, read *environed*.
- 9th do. twentieth Line from the Bottom, for *great*, read *just*.

Monday.



M O N D A Y, 9 o'Clock A. M. September 22, 1777.

**B**URNET MILLER, *John Rowan*, and *Ebenezer Clarke*, Esqrs; appeared and took their Seats.

Mr. *Hoffman*, from the Committee of the whole House, on the Bill entitled, "An Act to constitute a Council of State to assist the Governor, for the Time being, to administer the Government during the Recess of the Legislature," reported, that the said Bill being read through, in Committee, and ordered to be read by Paragraphs, on reading the first Paragraph, Mr. *Schoonmaker* moved in the Words following, *viz.* "I move that the Names of three Members appointed to be in the Council of State, not being Members of either Branch of the Legislature, be struck out and others appointed in their Places, who are Members of the Legislature." The Question being put thereon it was carried in the Manner following, *viz.*

## For the Affirmative,

Mr. Coe,  
Mr. Whiting,  
Mr. Dunscomb,  
Mr. Williams,  
Mr. Morehouse,  
Mr. E. Clarke,

Mr. Rowan,  
Mr. Honeywell,  
Mr. Birdfall,  
Mr. K. V. Rensselaer,  
Mr. Drake,  
Mr. J. Clarke,

Mr. Miller,  
Mr. Brasher,  
Mr. Cuyper,  
Mr. Graham,  
Mr. Schoonmaker,

Mr. Rea,  
Mr. Van Houten,  
Mr. Edsall,  
Mr. Hardenbergh,  
Mr. Wickes.

## For the Negative,

Mr. Benson,  
Mr. Speaker,  
Mr. Cuyler,  
Mr. Jay,

Mr. Bancker,  
Mr. Vrooman,  
Mr. Veeder,

Mr. Van Horne,  
Mr. L' Hommedieu,  
Mr. Morris,

Mr. Mills,  
Mr. Wisner,  
Mr. Harpur.

That Mr. *Morris* then moved in the Words following, *viz.* "That no Person who is a Member of either House of the Legislature, be in the Council of State," which was carried in the Negative, in Manner following:

## For the Affirmative,

Mr. Benson,  
Mr. Jay,  
Mr. Speaker,

Mr. Wisner,  
Mr. Harpur,  
Mr. Cuyler,

Mr. Van Horne,  
Mr. Mills,  
Mr. Livingston,

Mr. Morris,  
Mr. Edsall.

## For the Negative,

Mr. Whiting,  
Mr. Dunscomb,  
Mr. Williams,  
Mr. Morehouse,  
Mr. J. Clark,  
Mr. Miller,  
Mr. Birdfall,

Mr. Bancker,  
Mr. Vrooman,  
Mr. Veeder,  
Mr. Honeywell,  
Mr. K. V. Rensselaer,  
Mr. Rowan.

Mr. E. Clarke,  
Mr. Cuyper,  
Mr. Brasher,  
Mr. L' Hommedieu,  
Mr. Graham,  
Mr. Drake,

Mr. Schoonmaker,  
Mr. Rea,  
Mr. Van Houten,  
Mr. Coe,  
Mr. Wickes,  
Mr. Hardenbergh.

That the Committee had gone through the Residue of the said Bill, and made several Amendments thereto, which they had directed him to report to the House; and he read the Report in his Place, and afterwards delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

Ordered, That the Bill with the Amendments be engrossed.

A Letter from *Ezekiel Cheever*, Commissary of Artillery, dated the twentieth Instant, requesting twenty or thirty Tons of Lead, was read.

Ordered, That the said Letter be referred to a Committee, to report thereon, and Mr. *Dunscomb*, Mr. *Wickes*, and Mr. *Williams* were appointed a Committee accordingly.

Then the House adjourned until 9 o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock A. M. September 23, 1777.

**T**HE Order of the Day read.

Resolved, That the Number of Delegates, from this State, in General Congress, be five, that three of them, at least, shall stately attend, and that any two of the three attending, be authorized to represent this State.

It being provided by the Constitution of this State, that the Chancellor and Judges of the Supreme Court, may hold the Office of Delegate to the General Congress, upon special Occasions.

Resolved, That such special Occasion does now exist, and that the Chancellor and Judges of the Supreme Court are at this Time eligible as Delegates to the General Congress.

Ordered, That Mr. *Cuyler* and Mr. *Van Horne* carry a Copy of the above Resolutions to the Senate, and desire their Concurrence thereto.

Mr. *Benson* moved for Leave to bring in a Bill for appointing Commissioners for Conspiracies, &c. and declaring their Powers.

Ordered, That Leave be given accordingly.

E

Ordered,



Ordered, That a Bill be brought in, authorizing the Commissioner of Warlike Stores, and the Commissaries of Clothing, in this State, to deliver the said Stores and Clothing agreeable to the Order of the Governor.

Ordered, That the Committee to whom was referred the Letter of Col. Cheever, dated the twentieth Instant, requesting Lead, prepare and report the Draft of such Bill.

Mr. L' Hommedieu laid before the House, a Letter from Thomas Dearing and John Hulbert, dated at Middletown, the twenty-sixth Day of August last, directed to William Floyd, Ezra L' Hommedieu or David Gelson, Esqrs; relative to permitting poor Families, who are Refugees, from Long-Island, to return thither.

Ordered, That the said Letter be referred to a Committee, and that Mr. L' Hommedieu, Mr. Miller and Mr. E. Clarke, be a Committee for that Purpose.

A Petition of Simon Cregier, praying to be released from Imprisonment, was read, and ordered to lie on the Table.

Mr. Miller, from the Committee of the whole House, on the Bill entitled, "An Act for the Delivery of the Records of this State to the respective Officers, under the present Constitution authorized to have the Charge and Custody of them;" reported, that the Committee had gone through the said Bill, made several Amendments thereto, added a Clause, and altered the Title of the Bill, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill with the Amendments and Clause, in at the Table, where the same were again read and agreed to by the House.

Ordered, The said Bill, as amended, be engrossed.

Then the House adjourned until nine o'Clock, To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. September 24, 1777.

JACOB G. Klock, Esq; appeared and took his Seat.

The engrossed Bill, entitled, "An Act to constitute a Council of State, to assist the Governor for the Time being, to administer the Government during the Recess of the Legislature," was read the third Time.

On the Question being put, Resolved, nem. con. That the Bill do not pass.

The engrossed Bill, entitled, "An Act for the Delivery of the Records of this State, to the respective Officers, under the present Government, entitled to have the Charge and Custody of the same," was read the third Time.

Resolved, nem. con. That the Bill pass.

Ordered, That Mr. Whiting and Mr. Wickes carry the said Bill to the Senate, and desire their Concurrence thereto.

Mr. Dunscomb, according to order, presented to the House a Bill, entitled, "An Act authorizing the Commissioner of Warlike Stores, and the Commissaries of Clothing, in this State, to deliver the said Stores and Clothing agreeable to the Order of the Governor," which was read the first Time and ordered a second Reading.

Mr. Benson, according to Leave, presented to the House a Bill, entitled, "An Act for appointing Commissioners for Conspiracies, and declaring their Powers," which was read the first Time and ordered a second Reading.

Mr. L' Hommedieu, from the Committee appointed to report on the Letter of Thomas Dearing and John Hulbert, Esqrs; reported it as their Opinion, that a Bill should be prepared and brought in, for the Relief of certain poor Families, Refugees from Nassau-Island, in this State, now resident in the State of Connecticut.

Ordered, That such Bill be prepared and brought in, and that the Committee to whom was referred the said Letter of Thomas Dearing and John Hulbert, Esqrs; be a Committee to prepare and bring in the same.

A Petition of John Williams, Chairman of the Committee of Charlotte County, and of Eighty five others, Inhabitants of the said County, praying Assistance in their Distresses, occasioned by being driven from their Habitations by the Enemy, was read and referred to a Committee of the whole House.

Ordered, That the Clerk of this House retain a Copy thereof, and deliver the original Petition to the Honorable the Senate.

Then the House adjourned until 9 o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock A. M. September 25, 1777.

A Petition of Lieutenant Edward Long, praying a Compensation for a Horse therein said to be disabled, by the Enemy, at Fort Williams, in Charlotte County, was read, and Ordered to lie on the Table.



A Message from the Honorable the Senate, by *Abraham Yates*, Esq; with the following Resolutions, viz.

SENATE-CHAMBER, September 23, 1777.

"The Senate, according to order, proceeded to the Consideration of the Resolutions of the Honorable House of Assembly, on the Subject of Delegates to the General Congress, and thereupon

*Resolved*, That this Senate do concur with the Honorable House of Assembly, in the first of the said Resolutions.

*Resolved*, That this Senate do not concur with the Honorable House of Assembly in the last of the said Resolutions.

The Bill entitled, "*An Act authorizing the Commissioner of Warlike Stores, and the Commissaries of Clothing, in this State, to deliver the said Stores and Clothing, agreeable to the Order of the Governor,*" was read the second Time and committed to a Committee of the whole House.

The Bill entitled, "*An Act for appointing Commissioners for Conspiracies, and declaring their Powers,*" was read the second Time and committed to a Committee of the whole House.

Mr. *Williams*, from the Committee of the whole House, to whom was referred the Petition of *John Williams*, Chairman of the Committee of *Charlotte* County, and Eighty five others, praying Assistance in their Distresses, occasioned by being driven from their Habitations, by the Enemy, reported that the Committee had considered the said Petition, and directed him to report the following Resolution, viz.

"*Resolved*, That a Bill be prepared and brought in, to constitute a Board of Commissioners for the Support and Protection of the several poor and distressed Persons and Families who have fled from the different Parts of this State, upon the Incursions of the Enemy, and to declare their Duty and Powers;" which Report he read in his Place, and delivered the same in at the Table, where the same was again read and agreed to by the House.

*Ordered*, That Mr. *Brashear*, Mr. *Schoonmaker*, Mr. *K. Van Rensselaer* and Mr. *L' Hommedieu*, prepare and bring in the said Bill.

Then the House adjourned until 9 o'clock To-Morrow Morning.

F R I D A Y, 9 o'Clock A. M. September 26, 1777.

MR. HATHORN, from the Committee of the whole House, on the Bill, entitled, "*An Act authorizing the Commissioner of Warlike Stores, and the Commissaries of Clothing, in this State, to deliver the said Stores and Clothing agreeable to the Order of the Governor,*" reported that the Committee had gone through the said Bill, made several Amendments thereto, and altered the Title, which Amendments they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill, with the Amendments, in at the Table, where the same were again read and agreed to by the House.

*Ordered*, That the said Bill be engrossed.

The Committee to whom was referred the Petition of *Abraham Legget*, on Behalf of the Committee and Field Officers of *West-Chester* County, delivered in their Report, which was read and taken into Consideration.

*Ordered*, That the said Report lie on the Table for the Perusal of the Members; and that the same be taken into further Consideration on Tuesday next.

*Resolved*, That this House will immediately resolve itself into a Committee of the whole House, on the Mode of nominating Delegates, from this State, in General Congress of the United States of America.

The House then according to Order, resolved itself into a Committee of the whole House, on the Mode of nominating Delegates, from this State, in General Congress of the United States of America; after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Bancker*, from the said Committee, reported, that he was directed by the Committee, to report to the House, that they had made some Progress in the Business, and had directed him to move for Leave to sit again; which Report he read in his Place, and afterwards delivered it in at the Table, where the same was again read and agreed to by the House.

Thereupon, *ordered*, That the said Committee have Leave to sit again.

Then the House adjourned until 4 o'Clock this Afternoon.

4 o'Clock P. M.

DAVID GELSTON, Esq; appeared and took his Seat.

Mr. *L' Hommedieu*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for appointing Commissioners for Conspiracies, and declaring their Powers,*" reported that the Committee had gone through the said Bill, made several Amendments



ments thereto, and added two Clauses, which Amendments and Clauses they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill with the Amendments and Clauses in at the Table, where the same was again read and agreed to by the House.

*Ordered*, That the said Bill be engrossed.

*Ordered*, That Mr. *Hatborn* be added to the Committee to prepare and report a Draft of a Bill for the better Regulation of the Militia of this State.

Then the House adjourned until 9 o'Clock To-Morrow Morning.

S A T U R D A Y, 9 o'Clock A. M. September 27, 1777.

**T**HE engrossed Bill, entitled, "*An Act to empower the Governor to order and direct the Commissioner of Military Stores, the Commissaries of Clothing, and the Commissary for procuring Necessaries for the Army, to deliver the several Stores, Clothing and Necessaries, in their Custody, to such Person, and in such Manner, as he shall think proper,*" was read the third Time.

*Resolved*, That the Bill pass.

*Ordered*, That Mr. *Brashear* and Mr. *Gelston* carry the said Bill to the Senate, and request their Concurrence.

The engrossed Bill, entitled, "*An Act appointing Commissioners for Conspiracies, and declaring their Powers,*" was read the third Time.

*Resolved*, That the Bill pass.

*Ordered*, That Mr. *Hatborn* and Mr. *Williams*, carry the said Bill to the Senate and request their Concurrence.

Mr. *Benson*, from the Committee to whom was referred the Message from his Excellency the Governor, of the seventeenth Instant, reported, that a Bill be prepared and brought in, for granting to the Governor, the Sum of \_\_\_\_\_ for paying, subsisting, and defraying the contingent Expences of the Militia, whenever he shall call them into actual Service, for the Defence and Security of this State; which Report he read in his Place, and delivered in at the Table, where the same was again read and agreed to by the House.

*Resolved*, That a Bill be prepared and brought in for that Purpose.

*Ordered*, That Mr. *Benson* prepare and bring in the same.

Then the House adjourned until 10 o'Clock on Monday next.

M O N D A Y, 10 o'Clock A. M. September 29, 1777.

**J**OHANNIS SNYDER and *John Schenk*, Esqrs; appeared and took their Seats.

Mr. *Benson*, according to order, brought in a Bill, entitled, "*An Act for granting to the Governor the Sum of \_\_\_\_\_ for paying, subsisting, and defraying the contingent Expences of the Militia, whenever he shall call them into actual Service, for the Defence and Security of this State;*" which was read the first Time and ordered a second Reading.

Mr. *Brashear* moved for Leave to bring in a Bill to continue the several Committees elected within this State.

*Ordered*, That Leave be given accordingly.

Mr. *Morris* moved for Leave to bring in a Bill for the better and more effectual supplying the Armies of the United States, with Provisions and Necessaries.

*Ordered*, That Leave be given accordingly.

Mr. *Morris*, accordingly to Leave, brought in a Bill, entitled, "*An Act for the better and more effectual supplying the Armies of the United States, with Provisions and Necessaries,*" which was read the first Time and ordered a second Reading.

Then the House adjourned until 9 o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock A. M. September 30. 1777.

**M**R. Speaker laid before the House, a Letter which he had received from *Jacob Cuyler*, Esq; one of the Representatives, in Assembly, for the County of *Albany*, informing, that he was appointed Deputy Commissary General, for the Northern Department, that he could not, by reason thereof, attend to the Business of this House, and therefore praying Leave to resign his Seat as a Member thereof.

*Resolved*, That the Resignation of *Jacob Cuyler*, Esq; be accepted.

*Resolved*, That the Seat of *Jacob Cuyler*, Esq; as a Member of this House, is vacant.

Mr. *Brashear*, according to Leave, brought in a Bill, entitled, "*An Act to continue the several Committees within this State,*" which was read the first Time and ordered a second Reading.

The



The Bill, entitled, "*An Act for granting to the Governor, the Sum of* *for paying, subsisting and defraying the contingent Expences of the Militia, whenever he shall call them into actual Service for the Defence and Security of this State,*" was read the second Time, and committed to a Committee of the whole House.

The Order of the Day being read, for the Consideration of the Report of the Committee, on the Petition of *Abraham Leggett*,

*Ordered*, That the further Consideration thereof, be postponed until Friday next.

The House then resolved itself into a Committee of the whole House, on the Mode of nominating Delegates, from this State, in General Congress of the United States of America; and after some Time spent therein, Mr. Speaker, resumed the Chair, and Mr. *Bancker*, from the said Committee, reported, — That Mr. *Harpur* moved, that the Committee should report, a Resolution in the Words following, *viz.*

"*Resolved*, That the House proceed openly to the Nomination of five Delegates, to represent this State in the General Congress, in the same Manner as they proceeded to nominate the Council of Appointment."

That Debates arose thereon, and the Question being put, it was carried in the Affirmative in Manner following, *viz.*

For the Affirmative,

Mr. Van Zandt,	Mr. Crane,	Mr. Klock,	Mr. Rowan,
Mr. Whiting,	Mr. Brasher,	Mr. Swartwout,	Mr. Schoonmaker,
Mr. Dunscomb,	Mr. Harpur,	Mr. Schenk,	Mr. E. Clarke,
Mr. Williams,	Mr. Res,	Mr. Graham,	Mr. Hathorn,
Mr. J. Clark,	Mr. Gelston,	Mr. K. Van Rensselaer,	Mr. Cuyper,
Mr. Miller,	Mr. Veeder,	Mr. Snyder,	Mr. Van Houten,
Mr. Mills,	Mr. Vrooman,	Mr. Hardenbergh,	Mr. Honeywell,

For the Negative,

Mr. Hoffman,	Mr. Cuyler,	Mr. Benson,	Mr. Van Horne.
Mr. Jay,	Mr. Speaker,	Mr. Livingston,	

Which Report he read in his Place, and delivered in at the Table, where the same was again read and agreed to by the House. Thereupon,

*Resolved*, That this House will proceed openly to the Nomination of five Delegates to represent this State in Congress, in the same Manner as they did in the Nomination of the Council of Appointment.

*Resolved*, That this House will, on Thursday Morning next, proceed to nominate five Delegates, to represent this State in Congress.

*Ordered*, That Mr. *Harpur* and Mr. *Gelston* wait on the Honorable the Senate, and inform them thereof.

Then the House adjourned until nine o'Clock To-Morrow Morning.

WEDNESDAY, 9 o'Clock, A. M. October 1, 1777.

A Message from the Honorable the Senate, by Mr. *Floyd*, was read, and is in the Words following, *viz.*

"State of New-York.

In Senate, September 30, 1777.

"*Resolved*, That this Senate will, on Thursday Morning next, proceed to nominate five Delegates, to represent this State in Congress.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

The Bill, entitled, "*An Act to continue the several Committees within this State,*" was read the second Time, and committed to a Committee of the whole House.

Mr. *Livingston*, from the Committee of the whole House, to whom was referred, the Bill, entitled, "*An Act for granting to the Governor, the Sum of Ten Thousand Pounds, for paying, subsisting and defraying the contingent Expences of the Militia, whenever he shall call them into actual Service,*" reported, That the said Committee had gone through the said Bill, altered the Title, and made some Amendments thereto, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill, with the Amendments, in at the Table, where the same was again read and agreed to by the House.

*Ordered*, That the said Bill and Amendments, be engrossed.

A Message from the Honorable the Senate, by Mr. *Parks*, was read, and is in the Words following, *viz.*

"State of New-York.

In Senate, September 30. 1777.

"*Resolved*, That his Excellency the Governor be informed, that the Time of Service of Captain *Schoonmaker's* Company, who were engaged to guard the State Prisoners confined



in the Gaol at *Kingston*, and on board the Fleet Prison, will expire on this Day, and, that his Excellency be requested immediately, to provide for the Continuance of a Guard for the Purpose aforesaid, in such Way, as he shall think proper; and that this Senate will concur with the Honorable House of Assembly, in making the necessary Provision, for defraying the Expence thereof.

"Ordered, That Mr. *Livingston* and Mr. *Pawling*, wait on his Excellency the Governor, with a Copy of the foregoing Resolution; and that Mr. *Parks* present a Copy of the said Resolution, to the Honorable House of Assembly, and desire their Concurrence thereto.

*A true Copy from the Minutes,*

ROBERT BENSON, Clerk."

*Resolved*, That this House concur with the Honorable the Senate, in their Resolution of Yesterday, requesting his Excellency, to provide for the Continuance of a Guard for the State Prisoners confined in the Gaol at *Kingston*, and on board the Fleet Prison, in such Way as he shall think proper; and that this House will provide, with the Concurrence of the Honorable the Senate, for defraying the necessary Expence thereof.

"Ordered, That Mr. *Schenk* and Mr. *Duncomb* wait on his Excellency the Governor, with a Copy of this Resolution; and that Mr. *Rea* and Mr. *Van Houten* present a Copy of the said Resolution, to the Honorable the Senate.

A Message from the Honorable the Senate, by Mr. *Wisner*, was read, and is in the Words following, viz.

"State of *New-York*.

*In Senate, September 30, 1777.*

"Whereas, the Powers of the General and District Committees in each County in this State, will expire on this Day,

"And Whereas, Their Continuance is, in the Opinion of this Senate, absolutely necessary at this Juncture, for the Safety of the State,

"And Whereas, a new Election of such Committees cannot now be had, on Account of the Absence of a great Number of the Militia, who are now in Arms in the Public Service,

"Resolved therefore, That it is the Opinion of this Senate, that the said Committees ought to continue, and in Case of a Concurrence of the Honorable House of Assembly herein, that the said Committees do, and shall continue in the full Exercise of the Powers and Authorities, which they have hitherto respectively held and exercised, until further Provision be made by the Legislature of this State.

"Ordered, That Mr. *Wisner* wait on the Honorable House of Assembly, and in the Name of this Senate, request their Concurrence herein.

*A true Copy from the Minutes,*

ROBERT BENSON, Clerk."

*Resolved*, That the said Message from the Senate, be committed to a Committee of the whole House, and that this House will this Afternoon, resolve itself into a Committee of the whole House, thereon.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock P. M.

THE House according to Order, resolved itself into a Committee of the whole House, on the Resolution of the Senate, for the Continuance of Committees; after some Time spent therein, Mr. *Wickes*, from the said Committee reported, that the said Committee had come to the following Resolutions, which they had directed him to report to the House, viz.

"Resolved, That this House are of Opinion, that it may be proper to continue the several Committees within this State.

"Resolved, That in the Opinion of this House, such Committees cannot (according to the Constitution of this State) be otherwise continued, than by an Act of the Legislature of this State, which Report he read in his Place and delivered in at the Table, where the same was again read, and agreed to by the House.

"Therefore Resolved, *Nem. Con.* That this House do agree with their Committee in their said Report."

Ordered, That Mr. *Hathorn* and Mr. *Klock*, do carry a Copy of the said Resolutions, to the Honorable the Senate.

Then the House adjourned until 9 o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock A. M. October 2, 1777.

A Petition of *Thomas Hadden* was presented to the House, and is in the Words following, viz.







Mr. P. Schuyler.

Mr. P. Livingston.

Mr. Duane.

Mr. Floyd.

Mr. Duer.

Mr. Lewis.

Mr. G. Morris.

Mr. Scott.

Mr. Winger.

Mr. Klock,  
Mr. Van Horne,  
Mr. Whiting,  
Mr. E. Clarke,  
Mr. Benson,  
Mr. Wickes,  
Mr. Brasher,  
Mr. Van Houten,  
Mr. Livingston,  
Mr. Hathorn,  
Mr. Rea,  
Mr. Swartwout,  
Mr. Bancker,  
Mr. Hoffman,  
Mr. John Cuyler,  
Mr. Jay,  
Mr. J. Clark,

The Clerk then summed up the Votes of the Members.

Thereupon *Resolved, Nem. Con.* That the Honorable Philip Livingston, James Duane, Francis Lewis, William Duer and Gouverneur Morris, Esquires be, and they are hereby nominated by this House, Delegates from this State, in General Congress.

*Resolved,* That this House will meet the Honorable the Senate in the Court Room, in this Town, To-Morrow Morning at ten o'Clock, to compare the Lists of Persons nominated by each House, as Delegates from this State, in General Congress.

*Ordered,* That Mr. Benson and Mr. Rea, wait on the Honorable the Senate, with a Copy of this Resolution, and desire their Concurrence thereto.

A Message from the Honorable the Senate, by Philip Livingston, Esquire, acquainting this House, that the Senate had passed a Bill, entitled, "An Act requiring all Persons holding Offices under the Government of this State, to take the Oaths therein prescribed and directed," and requested the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

The engrossed Bill, entitled, "An Act for granting to the Governor, the Sum of Ten Thousand Pounds, for paying, subsisting and defraying the contingent Expences of the Militia, whenever he shall call them into actual Service," was read the third Time.

*Resolved,* That the Bill do pass.

*Ordered,* That Mr. Snyder and Mr. L' Hommedieu carry the Bill to the Honorable the Senate, and desire their Concurrence thereto.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock P. M.

DANIEL LAWRENCE, Esq; appeared and took his Seat.

A Message from the Honorable the Senate, by Mr. Scott, in the Words following, viz.

"State of New-York.

In Senate, Kingston, October 2, 1777.

*Resolved,* That as the Court Room in this Town, as the most convenient Place, for the meeting of the Senate and Assembly, this Senate will meet the Honorable House of Assembly, there, to compare the Lists of Persons, nominated by the Senate and Assembly respectively, as Delegates from this State, in General Congress: that the Time proposed by the Honorable House of Assembly, will not be convenient to this Senate; and that the said Honorable House, be requested to appoint another Time for such meeting.

*Ordered,* That Mr. Scott wait on the Honorable House of Assembly, with a Copy of this Resolution.

A true Copy from the Minutes.

ROBERT BENSON, Clerk.

*Resolved, Nem. Con.* That the Honorable the Senate, be requested to appoint such Time, as may be convenient to them to meet this House, to compare the Lists of Persons, nominated by the Senate and Assembly, respectively, as Delegates from this State, in General Congress, at which Time, this House will attend them.

*Ordered,* That Mr. Morris and Mr. Jeremiah Clark, carry a Copy, of the said Resolution to the Honorable the Senate.

John Jay, Robert Yates and John Sloss-Hobart, Esquires, attending according to Order, the Petition of Thomas Hadden, presented to the House this Morning, was again read.

And



And the said *John Jay*, *Robert Yates* and *John Sloss Hobart*, Esquires, by Order of the House, were asked by the Speaker, if the Facts set forth in the Petition are true? To which they replied in the Affirmative. The said *John Jay*, *Robert Yates* and *John Sloss Hobart*, being then asked to assign their Reasons for refusing to allow a *Habeas Corpus* to the Petitioner? They desired Leave to deliver in their Reasons in Writing, which being read, are in the Words following, viz.

‘*The Reasons of John Jay, Robert Yates and John Sloss Hobart, Esquires, for refusing the Habeas Corpus, mentioned in the Petition of Thomas Hadden, to the Honorable the Representatives of the State of New-York, in Assembly.*

‘That by an Ordinance of the late Convention of the State of *New-York*, passed the eighth Day of May last, for organizing and establishing the Government agreed to by the said Convention; many of the most necessary Officers of Government were appointed, and among others, the said *John Jay*, was appointed Chief Justice, and the said *Robert Yates* and *John Sloss Hobart*, Puisne Judges of this State,

‘That the said Ordinance after reciting, “That it would be proper that all Officers within this State, be as soon as possible, appointed in the Mode for that Purpose prescribed by the Constitution, did therefore resolve, That all and singular the Officers therein before appointed, should respectively hold their Offices, according to the Tenure of such Offices respectively specified in the said Constitution, if respectively approved of by the Council for the Appointment of Officers at their first Session.”

‘That on the sixteenth Day of September last, this Honorable House did nominate and appoint, four Senators, to wit. The Honorable *John Morin Scott*, *Abraham Yates*, *Jesse Woodbull* and *Alexander Webster*, Esquires, to be the said Council, for the Appointment of Officers in this State.

‘That the said Council have held their first Session, and have neither approved or disapproved, of the Appointment of the said *John Jay*, *Robert Yates* or *John Sloss Hobart*, to the Offices aforesaid, as they are informed. Wherefore they were unanimously of Opinion, that they were no longer authorized to exercise the said Offices, and therefore, did Yesterday refuse to grant a *Habeas Corpus* to the said *Thomas Hadden*, as mentioned in his said Petition. And they are the more induced to think this Opinion right, as it corresponds with that of one of the Honorable Members of the Council of Appointment, who assisted in framing the said Ordinance, and had thence an Opportunity of being well acquainted with its true Intent and Meaning.

JOHN JAY,  
ROBERT YATES,  
JOHN SLOSS HOBART.’

Kingston, October 2, 1777.

Mr. Morris then moved for a Resolution, in the Words following, viz.

“Resolved, That the foregoing Reasons of *John Jay*, *Robert Yates* and *John Sloss Hobart*, Esquires, are satisfactory.” Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the Manner following, viz.

#### For the Affirmative.

Mr. Gelston,	Mr. Harpur,	Mr. Snyder,	Mr. Hathorn,	Mr. Schenk,
Mr. L'Homedieu,	Mr. Veeder,	Mr. Van Horn,	Mr. Cuyper,	Mr. Graham,
Mr. Mills,	Mr. K. Van Rensselaer,	Mr. Morris,	Mr. Van Houten,	Mr. J. Cuyler,
Mr. Crane,	Mr. Vrooman,	Mr. Klock,	Mr. Swartwout,	Mr. Bancker,
Mr. Williams,	Mr. Whiting,	Mr. J. Clark,	Mr. Rea,	Mr. Benson.
Mr. Miller,	Mr. Lawrence,	Mr. Hoffman,	Mr. Wickes,	
Mr. Livingston,	Mr. Honeywell,	Mr. E. Clarke,	Mr. Jay,	

#### For the Negative.

Mr. Van Zandt,	Mr. Duncomb,	Mr. Hardenbergh,	Mr. Schoonmaker.
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Therefore Resolved, That the foregoing Reasons of *John Jay*, *Robert Yates* and *John Sloss Hobart*, Esquires, are satisfactory.

Resolved, That the Honorable the Council of Appointment, be requested to approve of the several Officers, appointed by an Ordinance of the late Convention, For organizing and establishing the Government, agreed to by the said Convention, or to appoint others in their Stead, to the End, that the Governor may be enabled to issue Commissions, to such Officers as they may so approve, or appoint.

Ordered, That the Speaker furnish his Excellency the Governor, and each of the Members of the Council of Appointment, with a Copy of the preceding Resolution.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. October 3, 1777.

THE Order of the Day, for the Consideration of the Report of the Committee on the Petition of *Abraham Leggett*, being read.

G

Ordered,



Ordered, That the further Consideration thereof, be postponed until Tuesday next.

A Message from the Honorable the Senate, by *Abraham Yates*, Esq; in the Words following, viz.

"State of New-York. In Senate, KINGSTON, Thursday Afternoon, October 2, 1777.

Resolved, That this Senate will meet the Honorable the House of Assembly at twelve o'Clock To-Morrow, to compare the Lists of Persons nominated by the Senate and Assembly, respectively, as Delegates from this State, in General Congress.

"Ordered, That Mr. *Yates* wait on the Honorable the House of Assembly, with a Copy of the above Resolution.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

Mr. *Swartwout*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to continue the several Committees elected within this State*," reported; That the said Committee had gone thro' the said Bill, altered the Title, and made several Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill, with the Amendments, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill, with the Amendments, be engrossed.

Mr. *K. Van Rensselaer*, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act for the Support and Protection of the several poor and distressed Persons and Families, who have fled from the different Parts of this State, upon the Incursions of the Enemy*," which was read the first Time, and ordered a second Reading.

The Speaker then left the Chair, and with the House, attended upon the Honorable the Senate, in the Court Room in this Town, agreeable to the Resolutions of both Houses, to compare the Lists of Persons nominated by the Senate and Assembly, as Delegates from this State, in General Congress; and being returned, resumed the Chair, and informed the House,—That the House had met with the Senate, and exchanged Lists; and that the same Persons were nominated in both Lists. The List received from the Honorable the Senate, was then read, and is in the Words following, viz.

"State of New-York. In Senate, KINGSTON, Thursday Morning, October 2, 1777.

"The Order of the Day being read, the Senate proceeded to the Nomination of five Delegates, to represent this State in General Congress, agreeable to the thirtieth Clause of the Constitution of this State; and the following Gentlemen were openly nominated by Plurality of Voices, viz.

*Philip Livingston*, Esq;  
*James Duane*, Esq;  
*Francis Lewis*, Esq;

*William Duer*, Esq;  
*Gouverneur Morris*, Esq;

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock, A. M. October 4, 1777.

THE Bill entitled, "*An Act for the Support and Protection of the several poor and distressed Persons and Families, who have fled from the different Parts of this State, upon the Incursions of the Enemy*," was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act requiring all Persons holding Offices or Places, under the Government of this State, to take the Oaths therein prescribed and directed*," was read the second Time, and committed to a Committee of the whole House.

Resolved, That this House will pass an Act, to indemnify the Deputy and Assistant Commissaries General, who shall press any Flour for the Use of the Army, by or before the tenth Day of October Instant, provided they shall pay the Market Price for the same.

Resolved, That the Honorable the Senate, be requested to concur in this Resolution.

Ordered, That Mr. *Morris* and Mr. *Lawrence*, wait on the Honorable the Senate, with a Copy of the above Resolutions.

The engrossed Bill, entitled, "*An Act to continue the several Committees elected within this State, and declaring their Powers*," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Cuyper* and Mr. *Veeder*, carry the Bill to the Honorable the Senate, and desire their Concurrence thereto.

A Message from the Honorable the Senate, by *Jonathan Lawrence*, Esq; was read, and is in the Words following, viz.

"State



" State of *New-York*.

*In Senate, KINGSTON, October 4, 1777.*

" *Resolved*, That this Senate will concur with the Honorable House of Assembly, in the passing of an Act, to indemnify the Deputy and Assistant Commissaries General, who shall press any Flour for the Use of the Army, by or before the tenth Day of October Instant, provided that they shall pay the Market Price for the same.

" *Ordered*, That Mr. *Lawrence* do carry a Copy of the said Resolution to the Honorable House of Assembly.

*A true Copy from the Minutes,*

ROBERT BENSON, Clerk."

*Resolved*, That the Speaker and seven Members, have Power to adjourn this House from Day to Day, and to send for absent Members.

The Bill entitled, "*An Act for the better and more effectual supplying the Armies of the United States, with Provisions and Necessaries*," was read the second Time, and committed to a Committee of whole House.

Then the House adjourned until Monday next, at four of the Clock in the Afternoon.

MONDAY, 4 o'Clock, P. M. *October 6, 1777.*

THE House met, and adjourned, until nine o'Clock To-Morrow Morning.

TUESDAY, 9 o'Clock, A. M. *October 7, 1777.*

THE House met, and adjourned, until four o'Clock this Afternoon.

By Virtue of an Order of the Assembly of the State of New-York, I do appoint JOHN HOLT to print these Votes, and that no other Person presume to print the same.

WALTER LIVINGSTON, Speaker.

POUGHKEEPSIE,



POUGHKEEPSIE, in Dutchess County, January 5, 1778.

**I**NTELLIGENCE of the Loss of the Forts in the Highlands, and the Irruption of the Enemy into the adjacent Parts of the State, having been received in the intervening Time, between the last Meeting of this House and the Hour to which it was adjourned, several of the Members, holding Commissions in the Militia, were obliged immediately to leave *Kingston*; in Consequence whereof, a sufficient Number to consent, with the Honorable the Senate, to an Adjournment of the Legislature, or to proceed on Business, did not afterwards assemble;—And his Excellency the Governor, having received sundry Resolutions from the Honorable the Congress, recommending several important Matters to the Consideration of the Legislatures of the different States, and having upon that Occasion, by his Proclamation, bearing Date the fifteenth Day of December last, convened the Legislature of this State, at this Place, on this Day; the Speaker and eleven Members accordingly met; and the Speaker, taking the Chair, the House adjourned until ten o'Clock To-Morrow Morning.

TUESDAY, 10 o'Clock, A. M. January 6, 1778.

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not yet appearing, the House adjourned until ten o'Clock To-Morrow Morning.

WEDNESDAY, 10 o'Clock, A. M. January 7, 1778.

**T**HE House met, pursuant to Adjournment, and the Number of Members present, not being sufficient to proceed on Business, the House adjourned until ten o'Clock To-Morrow Morning.

THURSDAY, 10 o'Clock, A. M. January 8, 1778.

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not yet appearing, the House adjourned until ten o'Clock To-Morrow Morning.

FRIDAY, 10 o'Clock, A. M. January 9, 1778.

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not yet appearing, the House adjourned until ten o'Clock To-Morrow Morning.

SATURDAY, 10 o'Clock A. M. January 10, 1778.

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not yet appearing, the House adjourned until five o'Clock on Monday Afternoon.

MONDAY, 5 o'Clock P. M. January 12, 1778.

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not yet appearing, the House adjourned until ten o'Clock To-Morrow Morning.

TUESDAY, 10 o'Clock, A. M. January 13, 1778.

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not yet appearing, the House adjourned until ten o'Clock To-Morrow Morning.

WEDNESDAY, 10 o'Clock, A. M. January 14, 1778.

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not yet appearing, the House adjourned until ten o'Clock To-Morrow Morning.

THURSDAY, 10 o'Clock, A. M. January 15, 1778.

**J**OHAN CANTINE, Esq; appeared, and took his Seat.  
A Message from the Honorable the Senate, by *Henry Wisner*, Esq; informing this House, that the Honorable the Senate are met, and ready to proceed on Business.

Ordered, That Mr. Cantine and Mr. Schuyler, wait on his Excellency the Governor, and inform him, that the House are met, and ready to proceed on Business; and wait his Excellency's Commands.

Ordered,



Ordered, That Mr. Boerum and Mr. Russell, wait on the Honorable the Senate, and inform them that this House are met, and ready to proceed on Business.

Then the House adjourned until four o'Clock this Afternoon.

4 o'Clock, P. M.

A Message from the Honorable the Senate, by Mr. Van Schaick, in the Words following, viz.

"State of New-York.

In Senate, Poughkeepsie, January 15, 1778.

"Resolved, That it is the Opinion of this Senate, that all Business and Proceedings that were depending and undetermined in this Senate, on the seventh Day of October last, are still depending and undetermined in this Senate, and that this Senate will proceed thereon accordingly.

"Ordered, That Mr. Van Schaick wait on the Honorable the House of Assembly, with a Copy of the said Resolution.

A true Copy from the Minutes.

ROBERT BENSON, Clerk."

Resolved, That all Business and Proceedings, which were depending and undetermined in this Assembly, on the seventh Day of October last, are still depending and undetermined, and that this Assembly will proceed thereon accordingly.

Ordered, That Mr. Brinckerhoff and Mr. Harpur, wait on the Honorable the Senate, with a Copy of the above Resolution.

Ordered, That Mr. Benson be added to the Committee of Ways and Means, who are to prepare and report a Bill for raising Monies, to be applied towards the Public Exigences of this State.

Then the House adjourned until ten o'Clock To-Morrow Morning.

FRIDAY, 10 o'Clock, A. M. January 16, 1778.

A Message from his Excellency the Governor, in the Words following, viz.

"Gentlemen,

"By Direction of Congress, I am to lay before you for the Consideration of the Legislature, their several Resolutions of the fifth and twenty-second of November, and of the third, fourth and twentieth of December last, (Copies whereof will be herewith delivered to you) which from their very great Importance, claim your earliest Deliberation.

"With this Message you will also receive an Act of Legislature of the State of Massachusetts-Bay, and a Resolution of the House of Representatives of that State, on the ninth of October last, transmitted to me by the President of their Council, whereby you will perceive the laudable Measures they are pursuing for sinking their Public Debt, raising their Credit, and supporting the War in future.

"The Loss of the important Fortresses on Hudson's-River, renders your Aid for the Security of the Communication of the River, and the Passes of the Highlands, indispensibly necessary.—While I regret our Misfortunes in that Quarter, I am happy that the total Defeat and Expulsion of the Enemy from the Northern Parts of this State, will allow you to turn a greater Share of your Attention to those Objects.

Poughkeepsie, January 16, 1778.

GEO. CLINTON."

Ordered, That the Clerk prepare a certified Copy of the said Message, for the Honorable the Senate, and Copies of the Papers accompanying the same, to be retained by this House, and deliver such certified Copy of the said Message and the Originals of the said Papers, to the Honorable the Senate.

Resolved, That his Excellency's Message and the Papers accompanying the same, be committed to Mr. Cantine, Mr. Boerum, Mr. Livingston, Mr. Taylor and Mr. Russell, and that they report thereon, with all convenient Speed.

Ordered, That a Bill be brought in, appointing Commissaries to procure Military Stores and Necessaries, for the Use of the Militia of this State.

Ordered, That a Bill be brought in, for completing the five Continental Battalions, raised under the Direction of this State.

Ordered, That a Bill be brought in, for the more effectual apprehending and securing Deserters from the Service of the United States, and detecting and punishing Persons who shall knowingly conceal or assist such Deserter; or detain, buy, exchange or receive, any Horse, Arms, Accoutrements, Ammunition or Clothing, belonging to the said States, from any Soldier, Trooper or Mariner, in the Service of the said States.

Ordered, That Mr. Benson, Mr. Schuyler and Mr. Edie, be a Committee to prepare and bring in the said three Bills.

H

"Mr.



“ Mr. *Taylor*, from the Committee of the whole House, to whom was referred the Bill, entitled, “ *An Act requiring all Persons holding Offices or Places, under the Government of this State, to take the Oaths therein prescribed and directed,*” reported, that he was directed by the Committee, to report to the House, that they had made some Progress in the said Bill, and had directed him to move for Leave to sit again; which Report he read in his Place, and afterwards delivered it in at the Table, where the same was again read.

*Ordered*, That the said Committee have Leave to sit again.

Then the House adjourned until nine o’Clock To-Morrow Morning.

S A T U R D A Y, 9 o’Clock, A. M. *January 17, 1778.*

**M**R. TAYLOR, from the Committee, to whom were referred his Excellency’s Message of Yesterday, with the Papers accompanying the same, respecting such Part of the said Message, as mentions the Loss of the important Fortresses on *Hudson’s-River*, and that the Aid of this State, will be necessary for the Security of the Communication of the River, and the Passes of the Highlands, reported, that they conceive it expedient, that Committees should without Delay be appointed by both Houses respectively, jointly to consider of the Measures, necessary to be taken by the Legislature of this State, for the Security of *Hudson’s River* and the Passes of the Highlands; which Report he Read in his Place, and afterwards delivered the same in at the Table, where the same being again read,

Thereupon,

*Resolved*, That this House do agree with their Committee in the said Report.

*Ordered*, That Mr. *Duncomb* and Mr. *Barns*, carry the above Resolution to the Honorable the Senate, and desire their Concurrence therein.

*Resolved*, That if the Honorable the Senate, shall concur with this House, in the above Resolution, that this House will thereupon, immediately proceed to appoint a Committee of three Members, to join the Committee that shall be appointed by the Honorable the Senate, for the above Purpose.

Mr. Speaker laid before the House, a Copy of a Message from his Excellency the Governor, to the Honorable the Senate, together with the several Papers referred to therein, which he had received from their Clerk; which said Message being read, is in the Words following, *viz.*

“ *Gentlemen,*

“ Agreeable to the Directions of Congress, I embrace this earliest Opportunity of laying before your Honorable House, the proposed Articles of Confederation and perpetual Union, between the United States of America, with the Letter of Congress, of the 17th of November last, recommending them to the Consideration of the Legislature of this State, for their Approval.

“ A Copy of a Letter, from his Excellency General WASHINGTON, dated the 29th of December, (inclosing a Return of the two Regiments raised in this State, commanded by Colonels *Cortlandt* and *Livingston*,) and of a Letter, from *Francis Lightfoot Lee*, Esq; a Member of Congress, dated the 30th of December last, also accompany this Message; the important Matters they contain will, (I cannot doubt) engage your immediate Attention.

*Poughkeepsie*, January 16, 1778.

GEO. CLINTON.

The several Papers attending the said Message, were also read.

*Resolved*, That the said Message and Papers be committed to a Committee—That Mr. *Swartwout* Mr. *Duncomb* and Mr. *Whiting*, be a Committee for that Purpose; and that they report thereon, with all convenient Speed.

A Message from the Honorable the Senate, by *Henry Pawling*, Esq; was received and read, whereby it appears, that the Senate had taken the Message of this Morning from this House, into Consideration; and had thereupon resolved, that the Senate do concur with this House, in the Resolution contained in the said Message; and had appointed Mr. *Scott*, Mr. *Wifner* and Mr. *Platt*, a Committee for the Purposes, mentioned in the Report of the Committee of this House, contained in the said Message.

*Resolved*, That Mr. *R. Van Rensselaer*, Mr. *Hathorn* and Mr. *Taylor*, be a Committee of this House, to meet the said Committee of the Senate, for the Purposes mentioned in the said Report of the Committee of this House, contained in the said Message.

Then the House adjourned until 10 o’Clock on Monday next.

M O N D A Y, 10 o’Clock, A. M. *January 19, 1778.*

**T**HE House met, pursuant to Adjournment, and a sufficient Number of Members to proceed on Business not appearing, the House adjourned until nine o’Clock To-Morrow Morning.

TUESDAY,



T U E S D A Y, 9 o'Clock, A. M. *January 20, 1778.*

A Message from the Honorable the Senate, by *Arthur Parks, Esq;* is in the Words following, *viz,*

" State of *New-York.*

*In Senate, January 19, 1778.*

" *Resolved,* That this Senate do agree in Opinion with the joint Committee appointed by the respective Resolutions of the Senate and Assembly, on that Part of his Excellency the Governor's Message, which respects the Loss of the important Fortresses on *Hudson's-River*, and the Aids of the Legislature, thereby rendered necessary for securing the Communication of *Hudson's-River*, and the Passes in the Highlands; and that if the Honorable House of Assembly do concur therein, his Excellency be, and he hereby is requested on the Part of this Senate, to transmit the necessary Information thereof to General *Putnam*, or such other Officer as may superintend and direct the Works on *Hudson's River*, and in the Highlands.

" *Ordered,* That Mr. *Parks*, wait on the Honorable House of Assembly with a Copy of the said Resolution.

*A true Copy from the Minutes.*

R O B E R T B E N S O N, Clerk."

The Committee from the joint Committee of the Senate and Assembly, to consider of and report on that Part of the Message of his Excellency the Governor, which respects the Loss of the important Fortresses on *Hudson's-River*, brought in their Report, which was read, in the Words following, *viz.*

" The Committee, from the joint Committees of the Senate and Assembly, appointed by the respective Resolutions of the several Houses, on that Part of the Message of his Excellency the Governor, which respects the Loss of the important Fortresses on *Hudson's-River*, and the Aids of the Legislature thereby rendered necessary for securing the Communication of the River, and the Passes in the Highlands, beg Leave to report the following Result of the said joint Committee, *viz.*

" *First.* That by certain Resolutions of Congress, of the 5th of November last, it is among other Things resolved, That the Governor and Council of this State, be requested to appoint a Committee of three active judicious Persons to assist General *Gates*, in obtaining such Artificers and Materials for accomplishing the Security of the said Communication and Passes, as he should direct, and to apply to the several States on the East Side of *Delaware River*, for their Assistance in Artificers and Materials for the Purpose aforesaid: And the said States are thereby required to furnish such a Number of Men as General *Gates* should require, to accomplish the important and salutary Purpose of maintaining the Communication between the Northern and Southern States, by keeping Possession of the North-River.

" *Secondly.* That tho' the Assistance required by the said Resolution refers personally to General *Gates*; yet as the Reason for requiring the same, still subsists; the said joint Committee are of Opinion that the Legislature of this State ought, without Delay, to tender the same to General *Putnam*, or such other Officer, as may from Time to Time have the Superintendence and Direction of the Works on *Hudson's-River*; and to that End, that they immediately appoint a Committee for the Purpose, as mentioned in the said Resolutions.

" *Thirdly.* That every possible Exertion ought to be made to finish the Water Obstructions of the said River, and to cover them with proper Works.

" *Fourthly.* That, considering the little Time left for perfecting the necessary Works, and the Probability that the Campaign will be opened by the Enemy, in an early Attempt to possess themselves of the River and Passes in the Highlands, the necessary Steps should be immediately taken, not only to cover the said Works while under Construction, but also for their speedy Relief in Case of an Attack.

" *Fifthly.* That therefore in the Opinion of the said joint Committee, this important End cannot be fully attained, with less than a Corps of 5000 light armed Troops, so posted in the Highlands, as not only to answer the above Purposes, but also to furnish the necessary Garrisons at the different Fortifications.

" *Sixthly.* That in the Opinion of the said Committee, the Cheveaux de Frize in the River, ought without Delay, to be completed in their Workmanship, so as to be in a Condition for sinking, as soon as the Ice will permit, and that no Time should be lost in finishing the Works necessary to cover them.

" *Seventhly.* That for those Works, as well as for the Fortifications in the Highlands, a sufficient Number of heavy Cannon with their necessary Apparatus, should be immediately provided, and such of them as must be conveyed by Land Carriage to the different Posts,



Posts, drawn to their respective Vicinities, while the Snow affords Sledding; among these, the joint Committee recommend the Use of those which were retaken to the Northward, which may, as they are informed, be rendered fit for Service, by Stocking.

"*Eighthly.* That besides heavy Cannon, which ought to be directed to the River, and a sufficient Number of Howitz, which are excellent for Annoyance of Shipping, the Land Defences, of the Fortifications, ought to be supplied with lighter Cannon, to cover the Curtains of the Works, which are naturally the weakest Parts of all Fortifications.

"*Ninthly.* That besides these, a proper Train of Artillery should be provided, as well for more securely occupying and commanding the Passes in the Highlands, as for checking a Column, and preventing dangerous Lodgments of the Enemy.

"*Tenthly.* That if a Chain or Boom, is to make a Part of the Water Obstructions, all the Iron Works in the Country, which have proper Metal and Conveniencies for the Purpose, should be immediately employed at making different Parts of it; and that all the necessary Cables, Cordage and Anchors, ought to be collected without Delay.

"*Eleventhly.* That as many of the Gondolas and Gunboats, necessary for River Use, as possible, ought to be built at or near *Albany*, to prevent their Destruction by Surprise.

"*Twelvethly.* That Magazines of Provisions, should be immediately laid up at different Places not much exposed to the Enemy, and sufficiently near to the Fortifications and other Posts in the Highlands, for supplying 5000 Men, for Six Months.

"*Thirteenthly.* That as it will be impossible to construct Fortifications capable of effectually sustaining a Siege, and as a small Army is in that Point of View, absolutely necessary to attain the salutary Ends of Congress, the Aid of Men pointed out by their Resolutions, ought to be asked for, immediately.

"*Fourteenthly.* That if the two Houses of Legislature should concur with the said joint Committee, it would be adviseable forthwith, to furnish General *Putnam* or such other Officer as may superintend and direct the Works, with a Copy hereof, and of the said Resolutions of Congress of the 5th of November last, and request him to make an immediate Demand, in writing, of the Legislature of this State, or the Committee to be appointed by them for the Purpose, of such Aids both in Artificers and Materials for carrying the said Resolutions into Execution, as he may judge necessary."

"*Resolved,* That this House do agree with the joint Committee appointed by the respective Resolutions of the Senate and Assembly, on that Part of the Message of his Excellency the Governor, which respects the Loss of the important Fortresses on *Hudson's* River, and the Aids of this State, thereby rendered necessary for securing the Communication of the said River, and the Passes in the Highlands, in their Report.

"*Resolved,* That his Excellency the Governor, be requested, on the Part of this Assembly, to transmit to General *Putnam*, or such other Officer as may superintend and direct the Works on *Hudson's* River, in the High Lands, the necessary Information of the said Report."

*Ordered,* That Mr. *Honeywell* and Mr. *Rea*, wait on his Excellency the Governor, with a Copy of the above Resolutions and Report.

*Ordered,* That Mr. *Morehouse* and Mr. *Wickes*, wait on the Honorable the Senate, with a Copy of the above Resolutions and Order.

Mr. *Dunfcomb*, from the Committee, to whom was referred, the Message from his Excellency the Governor, of the 16th Instant, to the Honorable the Senate, with the Papers accompanying the same, on the first Paragraph of the said Message, reported, that a Day be appointed by this House, to take into Consideration the proposed Articles of Confederation, and Letter from Congress, of the 17th of November last, mentioned in the said Message.

Thereupon,

*Resolved,* That this House will, on Friday next, proceed to take into Consideration, the proposed Articles of Confederation and perpetual Union, between the United States of America; and the said Letter of Congress, of the 17th of November last, recommending the same to the Consideration of the Legislature of this State, for their Approval.

A Petition of *John Wilson*, late of *Charlotte* County, was read, and ordered to lie on the Table.

Mr. *Wickes*, moved for Leave to bring in a Bill to prevent the Exportation of Flour, Meal and Grain, out of this State.

*Ordered,* That Leave be given accordingly.

"Mr. *Taylor*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act requiring all Persons, holding Offices or Places, under the Government of this State, to take the Oaths therein prescribed and directed,*" reported, that he was directed by the said



saïd Committee, to report to the House, that they had made some further Progress, in the saïd Bill, and had directed him to move for Leave to sit again.

*Ordered*, That the saïd Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. *January 21, 1778.*

**A** Letter from the Committee of *Albany*, signed by *Matthew Vischer*, Esq; their Secretary, and directed to the Speaker of the Assembly, was read; they thereby inform, that they have already collected £. 456—14—8, 300 Weight of Flour, and three Skipple of Wheat, for the Use of the ruined Settlers of the Frontiers of this State.

Mr. *Robert Van Rensselaer* informed the House, that he had received a Letter from *Johannes Van Deusen*, Chairman of the Committee of *Claverack*, dated the 19th of January Instant, requesting Leave to export 800 Barrels of Flour, to procure Salt; which Letter he laid before the House; and the same was read.

A Letter from *Jacobus Van Zandt*, Esq; dated at *Morris-Town*, January 1, and directed to the Speaker, was read. Mr. *Van Zandt* therein proposes several Methods for the Exchange of his Son *Viner*, now a Prisoner with the Enemy.

A Petition from *William Johnson*, V. D. M, *Matthew Cully* and *Daniel Ogden*, dated at *Cherry-Valley*, on the 5th Instant, directed to his Excellency the Governor, the Honorable the Senate and this House, was read.

The Petitioners therein set forth the defenceless Condition of that Part of the State, requesting the Aid of Guards or Troops, and submitting their Case to the Legislature.

*Ordered*, That the saïd Letters and Petition be committed to a Committee—That Mr. *Schoonmaker*, Mr. *Dunscumb*, Mr. *Barns* and Mr. *Clyde*, be a Committee for that Purpose.

A Petition of *Adam Frank*, of *Tryon County*, dated the 26th of December last, was read, and ordered to lie on the Table.

Mr. *Graham*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act requiring all Persons holding Offices or Places under the Government of this State, to take the Oaths therein prescribed and directed*," reported, that the Committee had gone through the saïd Bill without any Amendment, which they had directed him to report to the House; which Report he read in his Place, and afterwards delivered in at the Table, where the same was again read and agreed to by the House.

The saïd Bill being then read the third Time.

*Resolved*, That the Bill do pass.

Mr. *Dunscumb*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for the Support and Protection of the several poor and distressed Persons and Families, who have fled from the different Parts of this State, upon the Incursions of the Enemy*," reported, that they had made some Progress in the saïd Bill; and had directed him to move for Leave to sit again.

*Ordered*, That the saïd Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. *January 22, 1778.*

**M**R. BENSON, from the Committee, to see what Laws are expired or near expiring, reported, that he was directed to report the following Acts, viz.

An Act for the better laying out, regulating and keeping in Repair, the Common and Public Highways in the County of *Charlotte*.

An Act for the better clearing, mending and further laying out Public High Roads and others, in the County of *Ulster*.

An Act to amend an Act, entitled, An Act for the better clearing, mending and further laying out Public High Roads and others, in the County of *Ulster*.

An additional Act for laying out and improving Public Roads in the County of *Ulster*.

An Act for the better laying out, regulating and keeping in Repair, Common and Public Highways and Private Roads in the County of *Dutchess*.

An Act entitled, An Act to amend an Act, for the better laying out, regulating and keeping in Repair, Common and Public Highways and Private Roads in the County of *Dutchess*.

An Act for the Relief and Settlement of the Poor.

An Act to oblige Constables and Collectors to give Security for the faithful Performance of their respective Offices.

An Act for the better laying out and keeping in Repair, Common, Public and Private Highways in the County of *Orange*.



An Act to ascertain the Place, from whence the Milage Fees of the respective Sheriffs of the several Counties therein named, shall be computed, and for other Purposes therein mentioned.

An Act for giving Remedy where Defendants in Courts of Equity neglect to enter their Appearances, after being served with a *Subpœna*, and cannot be served with Process of Contempt.

Ordered, That a Bill be brought in to continue an Act, entitled, An Act for the better laying out, regulating and keeping in Repair, the Common and Public Highways in the County of *Charlotte*.

Ordered, That a Bill be brought in to revive three several Acts, relative to the Public Highways in the County of *Ulster*.

Ordered, That a Bill be brought in to revive two several Acts, relative to the Public Highways in the County of *Dutchess*.

Ordered, That a Bill be brought in to revive an Act, entitled, An Act for the Relief and Settlement of the Poor.

Ordered, That a Bill be brought in to revive an Act, to oblige Collectors and Constables to give Security for the faithful Performance of their respective Offices.

Ordered, That a Bill be brought in to continue an Act, entitled, An Act for the better laying out and keeping in Repair, Common, Public and Private Highways in the County of *Orange*.

Ordered, That a Bill be brought in to continue an Act, entitled, An Act to ascertain the Place, from whence the Milage Fees of the respective Sheriffs of the several Counties therein named, shall be computed; and for other Purposes therein mentioned.

Ordered, That a Bill be brought in to continue an Act, entitled, An Act for giving Remedy where Defendants in Courts of Equity neglect to enter their Appearances, after being served with a *Subpœna*, and cannot be served with Process of Contempt.

Ordered, That the said Committee to see what Laws are expired or near expiring, prepare and bring in the said Eight Bills above mentioned.

Ordered, That Mr. *Lawrence* and Mr. *Morehouse*, carry the Bill, entitled, "*An Act requiring all Persons holding Offices or Places under the Government of this State, to take the Oaths therein prescribed and directed,*" to the Honorable the Senate; and acquaint them that this House have passed the said Bill, without any Amendment.

A Message from the Honorable the Senate, by *Alexander Webster*, Esq; acquainting the House, that the Senate have passed a Bill, entitled, "*An Act to empower the Governor, Lieutenant-Governor, or President of the Senate administering the Government of this State, to order the Commissioner and Commissaries therein mentioned, to issue the several Stores, Clothing and Necessaries therein specified, to the Uses and Purposes therein directed,*" and requesting the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

A Petition of *David Blacklee*, *Eli Griffis*, and eight other Persons was read, and ordered to lie on the Table.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 10 o'Clock, A. M. *January 23, 1778.*

MR. *Gilbert Livingston*, from the Committee to whom was referred his Excellency's Message of the 16th Instant, with the Resolutions of Congress of November 5th and 22d, and of December 3d, 4th and 20th Ult. and the other Papers accompanying the same, reported, that the Papers received from the Council of *Massachusetts-Bay*, be referred to the Committee of Ways and Means; and that in their Opinion, the following Bills be prepared and brought in.

A Bill requiring the Treasurer of this State, to pay into the Treasury of the United States, *Two Hundred Thousand Dollars*, of the Monies to be raised by Tax within this State.

A Bill for appointing one or more Commissioners, in each County of this State, to take in Subscriptions on Loan Office Certificates.

A Bill more effectually to provide the five Continental Regiments, raised under the Direction of this State, with Clothing and Necessaries.

A Bill to Confiscate and make Sale, of all the real and personal Estates, of such Inhabitants and others, who have forfeited the same to this State.

A Bill to prevent the Circulation of the Bills of Credit, emitted by Authority of the Legislature of this State, while subject to the Crown of Great-Britain.

A Bill for the Preservation of Pine Timber, fit for Masts and other Naval Uses, growing within this State.

A Bill for limiting the Number of Retailers, and regulating the Trade in this State.

A Bill



A Bill to apprehend, confine and detect, Persons of suspicious Characters.

*Resolved*, That this House agree with their Committee, in the said Report.

*Ordered*, That the Papers received from the Council of *Massachusetts-Bay*, be referred to the Committee of Ways and Means.

*Ordered*, That a Bill be brought in, for requiring the Treasurer of this State, to pay into the Treasury of the United States, *Two Hundred Thousand Dollars*, of the Monies to be raised by a Tax, within this State; And that Mr. *Jay* and Mr. *Robert Van Rensselaer*, be a Committee to prepare and bring in the same.

*Ordered*, That a Bill be brought in, for appointing one or more Commissioners, in each County of this State, to take in Subscriptions on Loan Office Certificates; and that Mr. *Van Zandt* and Mr. *Harpur*, be a Committee to prepare and bring in the same.

*Ordered*, That a Bill be brought in, more effectually to provide the five Continental Regiments, raised under the Direction of this State, with Clothing and Necessaries; and that Mr. *Hathorn* and Mr. *Whiting*, be a Committee to prepare and bring in the same.

*Ordered*, That a Bill be brought in, to confiscate and make Sale, of all the real and personal Estates, of such Inhabitants and others, who have forfeited the same to this State; and that Mr. *Bancker* and Mr. *Hardenbergh*, be a Committee to prepare and bring in the same.

*Ordered*, That a Bill be brought in, to prevent the Circulation of the bills of Credit, emitted by Authority of the Legislature of this State, while subject to the Crown of Great-Britain; and that Mr. *Schoonmaker* and Mr. *Rea*, be a Committee to prepare and bring in the same.

*Ordered*, That a Bill be brought in, for the Preservation of Pine Timber, fit for Masts and other Naval Uses, growing within this State; and that Mr. *Taylor* and Mr. *Williams*, be a Committee to prepare and bring in the same.

*Ordered*, That a Bill be brought in, for limiting the Number of Retailers, and regulating the Trade in this State; and that Mr. *Gordon* and Mr. *Lawrence*, be a Committee to prepare and bring in the same.

*Ordered*, That a Bill be brought in, to apprehend, confine and detect Persons of suspicious Characters; and that Mr. *Swartwout* and Mr. *Livingston*, be a Committee to prepare and bring in the same.

A Message from the Honorable the Senate, by *Arthur Parks*, Esq; with a Copy of a Message from his Excellency the Governor, to the Honorable the Senate, dated Yesterday, together with a Copy of a Letter from Colonel *Hugh Hughes*, Deputy Quarter-Master General, to his Excellency, and a Copy of a certain Resolution and Order of the Honorable the Senate thereon—The said Message from his Excellency the Governor, and Resolution and Order of the Honorable the Senate thereon, are in the Words following, viz.

"Gentlemen,

"By a Letter this Morning received from Colonel *Hughes*, Deputy Quarter-Master General, (a Copy of which will be delivered to you with this Message) you will observe, that from the Want of Money in his Department, the Works for the Security of *Hudson's-River* will be greatly retarded, unless he can be supplied by this State, with the small Loan therein mentioned.

"As the least Delay in the Prosecution of this important Business, may be attended with the most fatal Consequences to the Public in general, and to this State more particularly, I most earnestly recommend to the Legislature the granting the desired Loan, if the State of the Treasury is such as to admit of it.

*Poughkeepsie, January 22, 1778.*

GEO. CLINTON."

"His Excellency's said Message, together with the Letter attending the same, were immediately taken into Consideration; And thereupon,

"*Resolved*, That this Senate will, if the Honorable House of Assembly shall concur therein, advance to Colonel *Hugh Hughes*, Deputy Quarter-Master General, out of the Treasury of this State, the Sum of *Five Thousand Pounds*, for the Purposes mentioned in his Letter of this Day to his Excellency the Governor; And thereupon,

"*Ordered*, That if the Honorable House of Assembly concur herein, that the Treasurer of this State pay to the said Colonel *Hughes*, the said Sum of *Five Thousand Pounds*, taking his Receipt for the same as Deputy Quarter-Master General, and charge the same to the Continental Account.

"*Ordered*, That Mr. *Parks*, wait on the Honorable House of Assembly with a Copy of his Excellency's said Message, and of the said Letter and the above Resolution and Order.

*A true Copy.*

ROBERT BENSON, Clerk."

The



The House proceeded to take into Consideration, the said Message, Letter, Resolution and Order, Thereupon,

*Resolved*, That this House do concur with the Honorable the Senate, to advance to Colonel *Hugh Hughes*, Deputy Quarter-Master General, the Sum of *Five Thousand Pounds*, for the Purposes mentioned in his Letter of Yesterday, to his Excellency the Governor; Provided that nothing in this Resolution contained, shall be construed to prejudice the Rights of this House.

*Ordered*, That the Treasurer of this State, pay to Colonel *Hugh Hughes*, the said Sum of *Five Thousand Pounds*, taking his Receipt for the same, as Deputy Quarter-Master General, and charge the same to the Continental Account.

*Ordered*, That a Copy of the above Resolution, (omitting the Proviso) and of the above Order, be signed by the Speaker and delivered to Colonel *Hughes*.

*Ordered*, That *Mr. Drake*, and *Mr. Clark*, wait on the Honorable the Senate, with a Copy of the above Resolution and Orders.

The Order of the Day for taking into Consideration, the proposed Articles of Confederation and perpetual Union, between the United States of America, and the Letter from Congress, of the 17th of November last, recommending the same to the Consideration of this State, for their Approval, being read. The said proposed Articles of Confederation and Letter were read accordingly.

*Ordered*, That the further Consideration thereof, be postponed until To-Morrow. Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. *January 24, 1778.*

THE Order of the Day being read, to take into Consideration, the proposed Articles of Confederation and perpetual Union, between the United States, and the Letter, from the Honorable *Henry Laurens*, Esq; President of Congress, accompanying the same; the House resolved itself into a Committee of the whole House, on the said proposed Articles of Confederation and Letter; and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Brashear*, from the said Committee, reported, that the said Articles of Confederation and Letter, had been read, and that the said Articles of Confederation, were then again read by Paragraphs, and that the said Committee had made some Progress therein, and had directed him to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

*Resolved*, That the said Articles of Confederation, be again taken into Consideration by this House, on Monday next.

Then the House adjourned until Monday next, at three Clock in the Afternoon.

MONDAY, 3 o'Clock P. M. *January 26, 1778.*

THE House met, pursuant to Adjournment, but a sufficient Number of Members to proceed on Business not appearing, the House adjourned until nine o'Clock To-Morrow Morning.

TUESDAY, 9 o'Clock, A. M. *January 27, 1778.*

THE Order of the Day being read, the House resolved itself into a Committee of the whole House, on the proposed Articles of Confederation and perpetual Union, between the American States; after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Brashear*, from the said Committee, reported, that the said Committee had gone through and fully considered the said Articles of Confederation, and approved of the same; which Report he read in his Place, and afterwards delivered in at the Table, where the same was again read and agreed to by the House. Thereupon,

*Resolved, Nem. Con.* That this House, do approve of the proposed Articles of Confederation and perpetual Union, between the States of *New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.*

*Ordered*, That a Bill be brought in, for ratifying and confirming, the said proposed Articles of Confederation and perpetual Union, between the States of *New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia*; and that *Mr. Hoffman*, *Mr. Brinckerhoff* and *Mr. L'Homedieu*, be a Committee to prepare and bring in the same.

Mr. Speaker laid before the House, a Letter from *Henry Schenk*, Deputy Commissary of Purchases, dated the 23d Instant, together with an Extract of a Letter from *Peter Colt*, a Deputy Commissary of Purchases, dated the 16th Instant. Also



Also a Letter or Petition, of *Samuel Hurlbut*; And also a Letter, from *Johannes H. Backer*; and a Petition of *Johannes H. Backer*, signed by Order of the Committee and Field Officers, at Schohary, dated the second Instant, with sundry Accounts therein contained; which were respectively read.

Ordered, That the said Petitions and Letters, be committed to a Committee; and that Mr. Snyder, Mr. Miller and Mr. Whiting, be a Committee for that Purpose.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. January 28, 1778.

MR. Graham on Behalf of Mr. Wickes, brought in a Bill, entitled, "An Act to continue the Embargo, against the Exportation of Flour, Meal and Grain, out of this State, and for amending an Ordinance or Resolution of the late Council of Safety, relating thereto, passed the Eleventh Day of November, 1777; and for other Purposes therein mentioned;" which was read the first Time.

Thereupon, Mr. Livingston, made a Motion in the Words following, viz.

"I move that the Bill under Consideration, be recommitted." Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Swartwout,  
Mr. Harpur,  
Mr. Brasher,  
Mr. Gordon,

Mr. Klock,  
Mr. Brinckerhoff,  
Mr. Edie,  
Mr. Vrooman,

Mr. Taylor,  
Mr. Schuyler,  
Mr. Cuyper,  
Mr. K. Van Rensselaer,

Mr. Livingston,  
Mr. Veeder,  
Mr. Whiting,  
Mr. Bancker,

Mr. Rea,  
Mr. Hoffman,  
Mr. Hardenbergh.

For the Negative.

Mr. Miller,  
Mr. Snyder,  
Mr. Clyde,

Mr. Duncomb,  
Mr. Williams,  
Mr. Drake,

Mr. Mills,  
Mr. Van Houten,  
Mr. Russell,

Mr. Rowan,  
Mr. Morehouse,  
Mr. Gelston,

Mr. Graham,  
Mr. Van Zandt,  
Mr. Honeywell,

Mr. Schoonmaker,  
Mr. Lawrence,  
Mr. L'Homedieu.

Therefore ordered, That the said Bill under Consideration, be re-committed.

Mr. Swartwout moved for Leave to bring in a Bill, to revive an Act, entitled, An Act to prevent Frauds by Bills of Sale in the Counties therein mentioned.

Ordered, That Leave be give accordingly.

Mr. Brinckerhoff moved for Leave to bring in a Bill, to revive an Act, entitled, An Act to prevent Damages by Swine in Dutchess County.

Ordered, That Leave be given accordingly.

The Committee to whom was referred the Petition of *William Johnston* and others, a Letter from the Committee of *Albany*, dated the 19th Instant; a Letter from the Chairman of the Committee of *Claverack*, and a Letter from *Jacobus Van Zandt*, Esq; reported thereon as follows, viz.

"First. With Respect to the Petition of the Reverend *William Johnston* and others, that his Excellency the Governor, be requested to take such Steps as to him may seem expedient, for supplying a Body of Troops for the Security of *Tryon* County, against the Dangers suggested in the Petition of *William Johnston* and others.

"Second. With Respect to the Letter from the Committee of *Albany*, that a Bill be brought in for the Distribution of all the Donations, that are or may be collected, for the Relief of the distressed Inhabitants on the Northern and Western Frontiers of this State, in Pursuance of a Resolution passed in the Council of Safety, on the 17th Day of December, 1777.

"Third. With Respect to the Letter from the Chairman of the Committee of *Claverack*, to *Robert Van Rensselaer*, Esq; that it lie on the Table.

"Fourth. With Respect to the Letter of *Jacobus Van Zandt*, Esq; that the Committee are of Opinion that two Members of the House be directed to wait on his Excellency the Governor, requesting an Application on his Part, for the Exchange of such Persons, Subjects of this State, who are now confined in *New-York*, and that the said last mentioned Letter be delivered to *Peter P. Van Zandt*, Esq;"

Resolved, That this House agree with their Committee in the said Report.

Thereupon resolved, If the Honorable the Senate shall concur herein, that his Excellency the Governor, be requested to take such Steps as to him may seem expedient, for the supplying a Body of Troops for the Security of *Tryon* County, against the Dangers suggested in the Petition of *William Johnston* and others.

Resolved, That a Bill be brought in for the Distribution of all the Donations, that are or may be collected for the Relief of the distressed Inhabitants on the Northern and Western Frontiers of this State, in Pursuance of a Resolution passed in the Council of Safety of this State, on the 17th Day of December, 1777.

K

Ordered,



Ordered, That Mr. L'Hommedieu, Mr. Gordon and Mr. Brasfer, be a Committee to prepare and bring in the same.

Ordered, That Mr. Van Zandt and Mr. Livingston, wait on his Excellency the Governor and request an Application on his Part, for the Exchange of such Subjects of this State, as are now confined in New-York.

A Message from the Honorable the Senate, by William Smith, Esq; in the Words following, viz.

" State of New-York.

In Senate, January 22, 1778.

" The Senate proceeded to the Consideration, of that Part of the Report of the Committee, on his Excellency's Message, which respects the Resolution of Congress, of the fifth Day of November last, by which the Governor and Council, of this State, are requested to appoint a Committee, of three active judicious Persons, to assist General Gates, in obtaining such Artificers and Materials, for accomplishing the Security of Hudson's River, and the Passes in the Highlands, as he should direct; And thereupon Ordered, that Mr. Woodbull, Mr. Platt, Mr. Scott, Mr. Wisner and Mr. Landon, be a Committee to unite with his Excellency the Governor, and a Committee of the Honorable House of Assembly, in the Appointment of the said Committee of three, and to report thereon with all convenient Speed.

" Ordered, That Mr. Lawrence and Mr. Mynderse, wait on his Excellency the Governor, with a Copy of the foregoing Order; and that Mr. Smith, carry a Copy of the said Order to the Honorable House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

Ordered, That the Consideration of this Message, relative to the Appointment of a Committee, for the Purposes therein mentioned, be postponed until To-Morrow Morning.

A Message from the Honorable the Senate, by John Morin Scott, Esq; containing Amendments, proposed by the Senate, to be made in the Bill from this House, entitled, " An Act appointing Commissioners, for detecting and defeating Conspiracies, and declaring their Powers," was read.

Ordered, That the Consideration of the last mentioned Message, be postponed until To-Morrow Morning.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. January 29, 1778.

ORDERED, That Mr. Honeywell and Mr. Cuyper, wait on the Honorable the Senate, with the Petition of William Johnston and others, and the Resolution of this House of Yesterday, thereon, and desire their Concurrence in the said Resolution.

The first Order of the Day being read, the House proceeded to the Consideration of the Message, from the Honorable the Senate, relative to the Appointment of a Committee, for the Purposes mentioned in a Resolution of Congress, of the fifth Day of November last.

Thereupon,

Ordered, That Mr. Brasfer, Mr. Snyder, Mr. Morehouse, Mr. Taylor and Mr. Hoffman, be a Committee of this House, to unite with his Excellency the Governor, and the Committee for that Purpose appointed by the Honorable the Senate, to nominate and appoint three active, judicious Persons to assist General Gates, in obtaining such Artificers and Materials, for accomplishing the Security of Hudson's-River, and the Passes in the Highlands, as he shall direct.

Ordered, That Mr. Gelston and Mr. Miller, wait on his Excellency the Governor with a Copy of the foregoing Order; and that Mr. K. Van Rensselaer and Mr. Dunscomb, carry a Copy thereof to the Honorable the Senate.

Ordered, That Mr. Williams be added to the Committee appointed on the 23d Instant, to prepare and bring in a Bill for limiting the Number of Retailers, and regulating the Trade in this State.

Mr. Benson moved for Leave to bring in a Bill, for increasing the Number of Assessors throughout this State.

Ordered, That Leave be given accordingly.

Mr. Benson according to Leave, brought in a Bill, entitled, " An Act for increasing the Number of Assessors throughout this State," which was read the first Time, and ordered a second Reading.

A Petition of Henry H. Kip, was read, and ordered to lie on the Table.

The second Order of the Day being read, the House proceeded to the Consideration of the Amendments proposed by the Honorable the Senate to be made in the Bill, entitled, " An Act appointing Commissioners for detecting and defeating Conspiracies, and declaring their Powers," which were read, and agreed to by the House.

The



The Bill entitled, "*An Act to empower the Governor, Lieutenant-Governor, or President of the Senate administering the Government of this State, to order the Commissioner and Commissaries therein mentioned, to issue the several Stores, Clothing and Necessaries therein specified, to the Uses and Purposes therein directed,*" was read the second Time, and committed to a Committee of the whole House.

Then the House adjourned until nine o'Clock To-Morrow Morning.

FRIDAY, 9 o'Clock, A. M. January 30, 1778.

A Message from the Honorable the Senate, by *Arthur Parks, Esq;* was read, and is in the Words following, viz,

"State of *New-York*.

*In Senate, January 29, 1778.*

"Mr. *Pawling*, from the Committee, to whom were referred his Excellency's Message, together with the Letter of *Cadwallader Colden*, and a Petition of a Number of Inhabitants of the District of *Coxakie*, in Behalf of *John Cumming*, delivered in the Report of the said Committee, which was read and agreed to; and is as follows, viz.

"That in the Opinion of your Committee, the Matters referred to in the said Message, and the Papers accompanying the same, lie properly before the Commissioners for detecting Conspiracies, and securing all such Persons as to them may appear disaffected to the American Cause, and the ordinary Civil Magistrates of this State: But as the said Message is directed to the Legislature of this State, your Committee are of Opinion, that this Senate ought to send a Copy thereof with the Originals of the said Papers, and a Copy of the Proceedings of this Senate thereon, to the Honorable House of Assembly.

"Ordered, That Mr. *Parks*, carry a Copy of the said Message, and of the Proceeding of this Senate, thereon, together with the original Papers attending the said Message, to the Honorable House of Assembly.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

Resolved, That this House, do concur with the Honorable the Senate, in their Resolution of Yesterday, that the Message of his Excellency the Governor, relative to *Cadwallader Colden* and *John Cumming*, with the Papers accompanying the same, lie properly before the Commissioners for detecting Conspiracies, and securing all such Persons as to them may appear disaffected to the American Cause, and the ordinary civil Magistrates of this State. And ordered that his Excellency's said Message, and the original Papers accompanying the same, be delivered to the said Commissioners, or one of them.

Mr. *Benson*, from the Committee of Ways and Means, according to Order, brought in a Bill, entitled, "*An Act for raising Monies, to be applied towards the Public Exigencies of this State,*" which was read the first Time, and ordered a second Reading.

The Bill, entitled, "*An Act for increasing the Number of Assessors, throughout this State,*" was read the second Time, and committed to a Committee of the whole House.

Mr. *Graham* on Behalf of Mr. *Wickes*, (according to Leave) brought in a Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" which was read the first Time, and ordered a second Reading.

A Message from his Excellency the Governor, by Mr. *Hatfield*, his Private Secretary, was read, and is in the Words following, viz.

"Gentlemen,

"The high Price of Iron, as well as the growing Scarcity of that indispensably necessary Article, induces me to lay before your Honorable House, for the Consideration of the Legislature, certain Proposals made by Col. *Livingston*, of letting to the Public, his Furnaces, Forges and Appurtenances, for a reasonable Compensation; An abstract of his Letter to me, of the 8th of January Instant, containing his Proposals, accompanies this Message.

*Poughkeepsie, January 30, 1778.*

GEO. CLINTON."

Ordered, That his Excellency's said Message, with the Abstract therein mentioned, be committed to a Committee, that Mr. *Benson*, Mr. *Brasler* and Mr. *Taylor*, be a Committee for that Purpose; and that they report thereon, with all convenient Speed.

And ordered, That the Clerk deliver a certified Copy of his Excellency's said Message, and of the Abstract accompanying the same, to the Honorable the Senate.

Mr. *Harpur*, from the Committee of the whole House, to whom was referred, the Bill, entitled, "*An Act to empower the Governor, Lieutenant Governor, or President of the Senate, administering the Government of this State, to order the Commissioner and Commissaries therein mentioned, to issue the several Stores, Clothing and Necessaries, therein specified, to the Uses and Purposes therein directed,*" reported, that he was directed by the said Committee, to report to the House, that the said Committee had gone through the said Bill, without any Amendment, and approved of the same; which Report he read in his Place, and afterwards delivered the same in at the Table, where the same was again read, and agreed to by the House.

The said Bill, being then read the third Time.

Resolved,



*Resolved*, That the Bill do pass.

A Message from the Honorable the Senate, by John Morin Scott, Esq; that they have passed a Bill, entitled, "*An Act of Accession to, and Approbation of certain proposed Articles of Confederation and perpetual Union, between the United States of America, and to authorize the Delegates, of the State of New-York, to ratify the same on the Part and Behalf of this State, in the Congress of the said United States,*" and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. January 31, 1778.

**R**ESOLVED, That in conducting Business, between the Senate and Assembly, in the Cases not as yet provided for, if the Honorable the Senate shall concur herein, the following Rules be observed, *viz.*

"*First.* That all Bills shall be sent to the Council of Revision, by the House, in which the Bills shall severally originate.

"*Secondly.* That whenever a Bill shall be sent by the Assembly, to the Senate, for Concurrence, and Amendments shall be proposed by the Senate, to such Bill, the Amendments to be signed by the President of the Senate, shall together with the Bill, be returned to the Assembly; and if they shall agree to such Amendments, they shall cause the Amendments to be made in such Bill; or if such Amendments, cannot be entered in such Bill without defacing it, then they shall cause the said Bill, to be re-engrossed agreeable to such Amendments. And the said Bill, so amended, or re-engrossed, shall be sent again to the Senate, by whom, after being signed by the President, it shall be again returned to the Assembly; and *Vice Versa*, whenever a Bill shall be sent from the Senate, to the Assembly, for Concurrence.

*Ordered.* That Mr. Van Horne and Mr. Edie, carry a Copy of the above Resolutions, to the Honorable the Senate, and request their Concurrence thereto.

The Bill entitled, "*An Act of Accession to, and Approbation of certain proposed Articles of Confederation and perpetual Union, between the United States of America, and to authorize the Delegates, of the State of New-York, to ratify the same on the Part and Behalf of this State, in the Congress of the said United States,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for raising Monies, to be applied towards the Public Exigencies of this State,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" was read the second Time, and committed to a Committee of the whole House.

A Message from the Honorable the Senate, by Rynier Mynderse, Esq; that the Senate, have passed a Bill, entitled, "*An Act to remove Doubts concerning the Corporation of the City of Albany,*" and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

A Message from the Honorable the Senate, by Jelles Fonda, Esq; was read, and is in the Words following, *viz.*

"*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolutions and Rules for conducting Business between the Senate and Assembly."

Mr. Brinckerhoff, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for increasing the Number of Assessors throughout this State,*" reported, that he was directed by the said Committee to report to the House, that they made some Progress in the said Bill, and had directed him to move for Leave to sit again; which Report he read in his Place, and afterwards delivered in at the Table, where the same was again read.

*Ordered*, That the said Committee have Leave to sit again.

*Ordered*, That Mr. Rowan and Mr. Russell, carry to the Honorable the Senate, the Bill, entitled, "*An Act to empower the Governor, Lieutenant-Governor, or President of the Senate administering the Government of this State, to order the Commissioner and Commissaries therein mentioned, to issue the several Stores, Clothing and Necessaries therein specified, to the Uses and Purposes therein directed,*" and inform them that this House have passed the same without any Amendment.

It appearing that the Amendments proposed by the Honorable the Senate, and agreed to by this House, to the Bill, entitled, "*An Act appointing Commissioners for Conspiracies, and declaring their Powers,*" cannot be entered on the said Bill, without defacing the same.

*Ordered*, That the said Bill be engrossed agreeable to such Amendments.

Then the House adjourned until Monday next, at three Clock in the Afternoon.

MONDAY,



MONDAY, 3 o'Clock P. M. February 2, 1778.

THE re-engrossed Bill, entitled, "*An Act for appointing Commissioners for detecting and defeating Conspiracies, and declaring their Powers,*" was read.

Ordered, That Mr. Boerum and Mr. Clyde, carry the said Bill to the Honorable the Senate, and acquaint them that this House have agreed to the Amendments proposed to the said Bill, by that Honorable House; and that the said Amendments being such, as that they could not be entered without defacing the said Bill; this House hath caused the same to be re-engrossed, agreeable to such Amendments.

The several following Petitions, viz. The Petition of John Wakworth, Principal, and of Jehiel Bardsley, as his Guardian, certified by William Wait; and the Petition of John Mc. Donald, and the Petition of John Frazer, certified by the said William Wait, were respectively read and ordered to lie on the Table.

Mr. Brasfer, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act of Accession to, and Approbation of certain proposed Articles of Confederation and perpetual Union, between the United States of America, and to Authorize the Delegates, of the State of New-York, to ratify the same on the Part and Behalf of this State, in the Congress of the said United States,*" reported, that he was directed by the said Committee, to report to the House, that the said Committee, had made some Progress in the said Bill, and had directed him to move for Leave to sit again; which Report he read in his Place, and afterwards delivered it in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

Ordered, That the said Bill be taken into further Consideration To-Morrow Morning.

Then the House adjourned until nine o'Clock To-Morrow Morning.

TUESDAY, 9 o'Clock, A. M. February 3, 1778.

A Letter from Peter S. Deygert, Chairman of the Committee of Tryon County, dated the 12th Ultimi, and directed to Messrs Veeder, Clyde, Van Horn and Klock, Members of this House—and also the Affidavit of John Smith, therein enclosed, were respectively read.

Ordered, That they be committed to the Committee of Privileges and Elections.

Mr. Brasfer, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act of Accession to, and Approbation of certain proposed Articles of Confederation and perpetual Union between the United States of America, and to authorize the Delegates of the State of New-York, to ratify the same on the Part and Behalf of this State, in the Congress of the said United States,*" reported, that he was directed by the said Committee, to make the following Report to the House, viz. "That when the Committee came to that Part of the Bill, which contains the Eleventh Article of the said Confederation, Debates arose thereon, and the Question being put, Whether the Committee would agree to that Part of the said Bill, it was carried in the Affirmative by every Member present, except Mr. Rowan and Mr. Russell, who voted in the Negative,—That the said Committee had gone through and fully considered the said Bill, and amended the Title, which they had directed him to report to the House—and he read the Report in his Place, and afterwards delivered the Bill and Amendment to the Title, in at the Table, where the same were again read, and agreed to by the House."

Resolved, That the said Bill do pass.

Ordered, That Mr. Whiting and Mr. Jay, carry the said Bill to the Honorable the Senate, and acquaint them that this House have passed the said Bill, with the Title amended.

Mr. Livingston moved for Leave to bring in a Bill for the Appointment of a Treasurer of this State.

Ordered, That Leave be given accordingly.

Ordered, That Mr. Gelston be added to the Committee of Privileges and Elections.

The Bill entitled, "*An Act to remove Doubts concerning the Corporation of the City of Albany,*" was read the second Time, and committed to a Committee of the whole House.

Resolved, That this House will To-Morrow Morning, resolve itself into a Committee of the whole House, on the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State.*"

Mr. Brinckerhoff, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for increasing the Number of Assessors throughout this State,*" reported, that he was directed by the said Committee to report to the House, that the said Committee had gone through the said Bill, and made several Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

L

Ordered,



Ordered, That the said Bill be engrossed.

A Message from his Excellency the Governor, by Mr. *Hatfield*, his private Secretary, was received and read, and is in the Words following, viz.

"Gentlemen,

"With this Message, will be delivered to you, a Copy of a Letter I have lately received from *Jacob Cuyler*, Esq; Deputy Commissary General of Purchases, for the Northern Department; and a Letter this Moment received from Major-General *Heath*, on the same Subject, which from their Importance, I doubt not will meet your early Attention.

"I have also to lay before your Honorable House, Copies of Letters, which I have lately received from the Chairman of the Committee of *Ulster* County, and to recommend to the Legislature for their Relief, as well the distressed Families of such indigent Persons, referred to in the said Letters, as of such others, who were killed or made Captives, fighting in Defence of their Country, at Fort Montgomery.

"Please also to receive herewith, a Copy of an Act of Congress, of the 29th December last, lately transmitted to me by his Excellency the President, for bringing to Punishment, such of the Inhabitants of any of the United States, as shall be taken in Arms against the same.

*Poughkeepsie, February 3, 1778.*

G E O. C L I N T O N."

The several Papers referred to, in his Excellency's Message, were also read.

Ordered, That the said Message and Papers, be referred to a Committee; And that Mr. *Brasher*, Mr. *Benson* and Mr. *Livingston*, be a Committee for that Purpose.

Mr. *L'Homedieu*, from the Committee for that Purpose appointed, according to Order brought in a Bill, entitled, "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Northern and Western Frontiers of this State,*" which was read the first Time and ordered a second Reading.

A Message from the Honorable the Senate, by *Jonathan Landon*, Esq; was read, and is in the Words following, viz.

"State of New-York.

*In Senate, February 3, 1778.*

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of the 28th of January last, requesting his Excellency the Governor, to take such Steps as to him may seem expedient, for supplying a Body of Troops, for the Security of *Tryon* County, against the Dangers suggested in the Petition of *William Johnston* and others.

"Ordered, That Mr. *Landon*, carry a Copy of this Resolution, to the Honorable House of Assembly.

*A true Copy from the Minutes.*

R O B E R T B E N S O N, Clerk."

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. *February 4, 1778.*

THE Order of the Day being read, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" after some Time spent therein, Mr. *Rea*, from the said Committee reported, that the Bill having been read through, and then the first enacting Clause being read, Mr. *Benson* moved, that the Recitals and the said first enacting Clause of the Bill, be struck out, and an Amendment by him moved for, substituted in their Stead. The said Recitals and first enacting Clause, being again read, are in the Words following, viz.

"Whereas, The Council of Safety, did on the 11th Day of November, in the Year of our Lord, *One Thousand Seven Hundred and Seventy Seven*, by a certain Resolution then made and published, lay an Embargo, against the Exportation of all Flour, Meal, or Grain whatsoever, out of this State, and did thereby, strictly forbid all Persons whatsoever, as well Inhabitants of this State, as others, from and after the 16th Day of the said Month of November, under any Colour or Pretence whatsoever, either directly, or indirectly, to export or attempt to export, or cause or procure to be exported, or attempted to be exported out of the said State, any Flour, Meal or Grain, of any Kind or Quality whatsoever, either by Land or by Water, without the special Licence of the said Council of Safety, or the Convention, or Legislature of this State, first had and obtained for the Purpose.

"And Whereas, it is still expedient to continue the said Embargo, as well for the better supplying the Inhabitants of this State, and the Troops, that shall from Time to Time, be in the Service of the United States of America, with Bread, as for preventing Supplies of the said necessary Articles of Provision to the Enemy, subject nevertheless, to certain Alterations and Regulations, which are now become necessary.

"First.



"First. *Be it therefore enacted and declared*, by the People of the State of *New-York*, represented in Senate and Assembly, and it is hereby enacted and declared, by the Authority of the same, that the said Resolution of the said Council of Safety, and the Embargo thereby laid, except such Parts thereof as are herein after repealed, shall stand and be, and hereby are confirmed and continued, from the Time of making and publishing of the said Resolution, until the same shall hereafter be repealed, annulled and made void, by some future Act of the Legislature of this State."

That the Amendment, moved by Mr. *Benson*, to be substituted in the Place of the said two Recitals and first enacting Clause, was in the Words following, *viz.*

"*Whereas*, vast Quantities of Flour, Meal and Grain, are daily transported from this State, to the adjacent Sea Ports, and are from thence conveyed to Places in the Possession of, or having free Intercourse with the Enemy, in order therefore, to prevent the Enemy from receiving Supplies of these necessary Articles, *Be it enacted*, by the People of the State of *New-York*, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, that an Embargo shall be and is hereby laid, against the Exportation of Flour, Meal or Grain, out of this State. And that each and every Person, who shall, from, and after the Day of next, export or cause to be exported, any Flour, Meal or Grain, out of this State, without such Licence as is herein after mentioned, shall forfeit and pay for each Offence, treble the Value of the Flour, Meal or Grain, so exported; to be recovered in an Action of Debt, with full Costs of Suit, either by Bill, Plaint or Information, in the Supreme Court of Judicature of this State, or in the Inferior Court of Common Pleas of the County, wherein the Offence shall have been committed, to the Use of any Person, who shall sue for the same; wherein the Defendant shall be held to Bail, as in Actions of Debt upon Specialty, and wherein also no Effoin, Protection or Wager of Law, nor any more than one Imparance shall be allowed.

That Debates had arisen on Mr. *Benson's* said Motion for striking out the said two Recitals and first enacting Clause, and inserting the said Amendment; and it was carried in the Negative, in the Manner following, *viz.*

## For the Negative.

Mr. Snyder,	Mr. Cuyper,	Mr. Drake,	Mr. Dunscomb,	Mr. Russell,	Mr. Harpur,
Mr. Cantine,	Mr. Morehouse,	Mr. Vrooman,	Mr. Schoonmaker,	Mr. Edie,	Mr. L'Hommedieu,
Mr. Mills,	Mr. Bancker,	Mr. Brasher,	Mr. Rowan,	Mr. Van Houten,	Mr. Lawrence.
Mr. Gelston,	Mr. Honeywell,	Mr. Van Zandt,			

## For the Affirmative.

Mr. Klock,	Mr. Swartwout,	Mr. Speaker,	Mr. Livingston,	Mr. Clyde,	Mr. Whiting,
Mr. Boerum,	Mr. Williams,	Mr. Jay,	Mr. Taylor,	Mr. Gordon,	Mr. Miller,
Mr. Hathorn,	Mr. Hoffman,	Mr. Brinckerhoff,	Mr. Coe,	Mr. Van Horn,	Mr. Benson.

That the said first enacting Clause being then again read, Mr. *Williams* moved, that the Words *and declared*, in the first Line, and the same Words in the third Line of the said enacting Clause be obliterated, which being agreed to *Nem. Con.* The Clause was amended accordingly.

That the Question being then put, Whether the Committee agreed to the said first enacting Clause as amended, Debates arose thereon, and it was carried in the Affirmative, in the Manner following, *viz.*

## For the Affirmative.

Mr. Lawrence,	Mr. Dunscomb,	Mr. L'Hommedieu,	Mr. Cuyper,	Mr. Vrooman,	Mr. Mills,
Mr. Russell,	Mr. Van Zandt,	Mr. Bancker,	Mr. Honeywell,	Mr. Morehouse,	Mr. Schoonmaker,
Mr. Rowan,	Mr. Van Houten,	Mr. Brasher,	Mr. Snyder,	Mr. Cantine,	Mr. Gelston.
Mr. Edie,	Mr. Harpur,	Mr. Drake,			

## For the Negative.

Mr. Miller,	Mr. Boerum,	Mr. Van Horn,	Mr. Hoffman,	Mr. Brinckerhoff,	Mr. Klock,
Mr. Coe,	Mr. Benson,	Mr. Clyde,	Mr. Taylor,	Mr. Hathorn,	Mr. Swartwout,
Mr. Speaker,	Mr. Whiting,	Mr. Gordon,	Mr. Livingston.	Mr. Jay,	Mr. Williams.

That the said Committee had also made some further Progress in the said Bill, and directed him to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee of the whole House on the said Bill.

A Message from the Honorable the Senate, by *Abraham Yates*, Esq; in the Words following, *viz.*

"State of *New-York*.

*In Senate*, February 4, 1778.

"The Senate proceeded to the Consideration of the proposed Amendments by the Honorable House of Assembly, to the Bill, entitled, "*An Act of Accession to, and Approbation of*



of certain proposed Articles of Confederation and perpetual Union between the United States of America, and to authorize the Delegates of the State of New-York. to ratify the same on the Part and Behalf of this State, in the Congress of the said United States;" viz. In the Title, strike out the Words *on the Part and Behalf of this State*; and the Question being put, Whether this Senate do agree to the said proposed Amendment, it was carried in the Negative.

"Resolved therefore, That this Senate do not agree with the Honorable House of Assembly in the said proposed Amendment.

"Ordered, That Mr. Yates carry a Copy of the Proceedings of this Senate, relative to the said proposed Amendment, with the said Bill, to the Honorable House of Assembly.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

The House having taken into Consideration the said Message.

Resolved, That this House do recede from their proposed Amendment to the Title of the Bill, entitled, *An Act of Accession to, and Approbation of certain proposed Articles of Confederation and perpetual Union between the United States of America, and to authorize the Delegates of the State of New-York, to ratify the same on the Part and Behalf of this State, in the Congress of the said United States.*"

Ordered, That Mr. Hathorn and Mr. Brasher, do carry a Copy of the above Resolution, together with the said Bill, to the Honorable the Senate.

A Message from the Honorable the Senate, by Dirck W. Ten Broeck, Esq; that the Senate have passed the Bill, entitled, "*An Act for appointing Commissioners, for detecting and defeating Conspiracies, and declaring their Powers.*"

Ordered, That Mr. Brinckerhoff and Mr. Benson, carry the said Bill, to the Honorable the Council of Revision.

The engrossed Bill, entitled, "*An Act for increasing the Number of Assessors, throughout this State,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cuyper and Mr. Klock, carry the said Bill to the Honorable the Senate, and request their Concurrence thereto.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. February 5, 1778.

MR. BENSON, moved for Leave to bring in a Bill, entitled, "*An Act to indemnify the Members of the late Convention and Council of Safety, of this State, and all Persons who have acted under their Authority.*" Debates arose thereon and the Question being put, it was carried in the Negative, in the Manner following, viz.

For the Affirmative.

Mr. Hathorn,  
Mr. Gordon,  
Mr. Livingston.

Mr. Jay,  
Mr. Clyde,  
Mr. Taylor.

Mr. Whiting,  
Mr. Russell,  
Mr. Benson.

Mr. Hoffman,  
Mr. Swartwout,  
Mr. Brinckerhoff.

Mr. Boerum,  
Mr. Van Horn,  
Mr. Miller.

For the Negative.

Mr. Brasher,  
Mr. Honeywell,  
Mr. Mills,  
Mr. Snyder,  
Mr. Vrooman.

Mr. Cantine,  
Mr. Morehouse,  
Mr. Schoonmaker,  
Mr. Gelston,  
Mr. Wickes.

Mr. Drake,  
Mr. Van Zandt,  
Mr. Coe,  
Mr. Bancker,  
Mr. L'Hommedieu.

Mr. Cuyper,  
Mr. Lawrence,  
Mr. Williams,  
Mr. Harpur,  
Mr. Duncomb.

Mr. Rowan,  
Mr. Klock,  
Mr. Rea,  
Mr. Edie,  
Mr. Van Houten.

A Message from the Honorable the Senate, by Arthur Parks, Esq; that the Senate have passed a Bill, entitled, "*An Act to ascertain the Places, from whence the Milage Fees of the respective Sheriffs, of the several Counties in this State, shall be computed,*" and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

The Order of the Day being read, the House accordingly resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal or Grain, out of this State,*" after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Rea, from the said Committee, reported, that he was directed by the said Committee to report to the House, that the said Committee had gone through the said Bill, and made several Amendments thereto.—That upon going through the Bill for the last Time, in the said Committee, Debates arose, and the Question being put, Whether the Committee would agree to the said Bill, as amended, it was carried in the Affirmative; which Report he read in his Place, and delivered the Bill and Amendments, in at the Table, where the same were again read.

The Question being then put, Whether the House agrees with their Committee, in the said Report, Debates arose thereon, and it was carried in the Affirmative.

Ordered, That the said Bill be engrossed.

Resolved,



*Resolved*, That this House will To-Morrow, resolve itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising Monies, to be applied towards the Public Exigencies, of this State.*"

Then the House adjourned until nine o'Clock To-Morrow Morning.

FRIDAY 9 o'Clock, A. M. February 6, 1778.

A Message from the Honorable the Council of Revision, by the Chancellor, in the Words following, viz.

"In Council for revising all Bills about to be passed into Laws, by the Legislature of the State of New-York, on Thursday the 5th Day of February, 1778.

"*Resolved*, That it does not appear improper, to this Council, that the Bill, entitled, "*An Act appointing Commissioners, for detecting and defeating Conspiracies, and declaring their Powers,*" should become a Law of this State.

"*Ordered*, That a Copy of the above Resolution, signed by his Excellency the Governor, be delivered to the Assembly, by the Chancellor.

GEORGE CLINTON."

Mr. Brashear, from the Committee of this House, appointed on the 29th Day of January last, to unite with his Excellency the Governor, and the Committee for that Purpose appointed by the Honorable the Senate, to nominate and appoint three active judicious Persons, pursuant to a Resolution of Congress, of the 5th Day of November last; to assist General Gates in obtaining such Artificers and Materials, for accomplishing the Security of Hudson's River, and the Passes in the Highlands, as he shall direct, reported to the House, that his Excellency the Governor, and the Committees appointed by the Senate and Assembly, have nominated and appointed Henry Wisner, Esq; of Goshen, in Orange County, Colonel Cornelius D. Wynkoop, of Hurly, in Ulster County and Major Joseph Strang, of Westchester County, to assist Major General Gates in obtaining such Artificers and Materials, for accomplishing the Security of Hudson's River, and the Passes in the Highlands, as he shall direct, pursuant to the said Resolution of Congress, of the 5th Day of November last.

*Resolved*, That this House do approve of the said Nomination.

*Resolved*, That his Excellency the Governor, be requested to write to Colonel Cornelius D. Wynkoop, and Major Strang, respectively, desiring their Acceptance of such Appointment, as above mentioned.

*Ordered*, That Mr. Brashear and Mr. Bancker, wait on his Excellency the Governor, with a Copy of the above Resolution, and that Mr. Hoffman and Mr. Drake carry a Copy of the same, to the Honorable the Senate.

A Message from the Honorable the Senate, by John Williams, Esq; was received and read, and is in the Words following, viz.

"State of New-York.

In Senate, February 6, 1778.

"Mr. Scott, from the Committee of this Senate appointed to unite with his Excellency the Governor, and a Committee of the Honorable House of Assembly, in the Appointment of a Committee of three active judicious Persons, to assist General Gates in obtaining such Artificers and Materials, for accomplishing the Security of Hudson's River and the Passes in the Highlands, as he should direct, reported, that his Excellency the Governor, and the said Committees have appointed Henry Wisner, Esq; Colonel Cornelius D. Wynkoop and Major Joseph Strang, to constitute the said Committee, if this Senate and the Honorable House of Assembly shall approve of them.

"*Resolved*, That this Senate do approve of the said Appointment, if the Honorable House of Assembly concur therein.

"*Ordered*, That if the Honorable House of Assembly concur herein, his Excellency the Governor be, and he hereby is requested to write to Col. Wynkoop and Major Strang, desiring their respective Acceptance of such Appointment, without Delay.

"*Ordered*, That Mr. Williams wait on the Honorable House of Assembly, with a Copy of the foregoing Resolution, and of this and the foregoing Order.

A true Copy from the Minutes.

ROBERT BENSON, Clerk."

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising Monies to be applied towards the Public Exigencies, of this State,*" after some Time spent therein, Mr. Gordon, from the said Committee, reported, that he was directed by the said Committee to report, that they had made some Progress in the said Bill, and to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

*Resolved*, That this House will To-Morrow resolve itself into a Committee of the whole House, on the said Bill.



A Message from his Excellency the Governor, by Mr. *Hatfield*, his Private Secretary, was received, and is in the Words following, viz.

"Gentlemen,

"You will perceive from the Papers herewith delivered to you, the unhappy Situation of the good Subjects of this State in the Eastern District, oppressed by the unwarrantable Proceedings of a Number of Persons, who have combined to effect a Separation of that Country from this State; they demand your Protection and Interposition, a due Attention to this Subject is of the last Importance, and I flatter myself you will without Delay, adopt such Measures for the Restoration of Order and good Government in that District, as Justice may dictate, and the Honor of the State require.

"You will also herewith receive a Copy of the Proceedings of the late Convention at *New-Haven*, for regulating the Prices of Labour, &c. which was delivered to me by one of the Commissioners deputed to that Convention, by this State.

*Poughkeepsie, February 6, 1778.* GEO. CLINTON."

The several Papers referred to in his Excellency's said Message, were also read.

Thereupon resolved, That a Copy of the Proceedings of the late Convention at *New-Haven*, for regulating the Prices of Labour, &c. be committed to a Committee of the whole House.

And, Resolved, That the several Papers referred to in his Excellency's said Message, relative to the Situation of some of the good Subjects of this State, in the Eastern District thereof, be referred to the Consideration of a Committee of the Honorable the Senate, and a Committee of this House, jointly to consider of, and report thereon; if the Honorable the Senate shall concur herein.

And in that Case, ordered, That Mr. *Benson*, Mr. *Schoonmaker* and Mr. *Taylor*, be a Committee of this House for that Purpose.

Ordered, That Mr. *Livingston* and Mr. *Whiting* carry a Copy of his Excellency's said Message, and of the Papers relative to the Eastern District, accompanying the same, together with a Copy of the above Resolution to the Honorable the Senate.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock, A. M. February 7, 1778.

THE engrossed Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain out of this State*," was read the third Time.

The Question being put whether the Bill shall pass? Debates arose thereon, the House divided, and it passed in the Affirmative in Manner following, viz.

#### For the Affirmative.

Mr. Mills,	Mr. Russell,	Mr. Edie,	Mr. Snyder,	Mr. Honeywell,	Mr. Williams,
Mr. L'Honmedieu,	Mr. Graham,	Mr. Wickes,	Mr. Morehouse,	Mr. Van Houten,	Mr. Gelston,
Mr. Harpur,	Mr. Duncomb,	Mr. Bancker,	Mr. Vrooman,	Mr. Rea,	Mr. Schoonmaker,
Mr. Lawrence,	Mr. Brasher,	Mr. Klock,	Mr. Cuyper,	Mr. Van Horne,	
Mr. Rowen,	Mr. Clyde,	Mr. Cantine,	Mr. Drake,	Mr. Whiting,	

#### For the Negative.

Mr. Benson,	Mr. Jay,	Mr. Boerum,	Mr. Van Zandt,	Mr. Hoffman,
Mr. Livingston,	Mr. Taylor,	Mr. Miller,	Mr. Hathorn,	
Mr. Gordon,	Mr. Swartwout,	Mr. Brinckerhoff,	Mr. Coe,	

Resolved therefore, That the Bill do pass.

Ordered, That Mr. *Van Zandt* and Mr. *Vrooman*, carry the said Bill to the Honorable the Senate and desire their Concurrence thereto.

A Petition of fundry Inhabitants of the County of *Charlottee*, signed by *Moses Martin*, Chairman of the County Committee, *Joseph Mc. Cracken* and fourteen other Persons, was read and committed to the Members from *Dutchess* County.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising Monies, to be applied towards the public Exigencies of this State*," after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Gordon* from the said Committee, reported, that he was directed by the said Committee to report, that they had made some Progress in the said Bill, and to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Resolved, That this House will at their first Meeting, after their next Adjournment, resolve itself into a Committee of the whole House, on the said Bill.

Then the House adjourned until Monday next at three o'Clock in the Afternoon.

MONDAY, 3 o'Clock, P. M. February 9, 1778.

THE House met, pursuant to Adjournment, and adjourned until nine o'Clock To-Morrow-Morning.

TUESDAY,



TUESDAY, 9 o'Clock, A. M. February 10, 1778.

**MR. BENSON**, moved for Leave to bring in a Bill further to organize the Government of this State.

*Ordered*, That Leave be given accordingly.

Mr. Benson according to Leave, brought in a Bill, entitled, "*An Act further to organize the Government of this State*," which was read the first Time and ordered a second Reading.

A Message from the Honorable the Senate, by Mr. Landon, was received and read, and is in the Words following, viz.

"State of New-York. In Senate, February 7, 1778.

"*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolution, for referring to the Consideration of a joint Committee of the Senate, and Assembly, the Papers referred to, in his Excellency the Governor's Message, relative to the Situation of some of the good Subjects of this State, in the Eastern District thereof; and ordered that Mr. Scott and Mr. Lawrence, be a Committee to unite with the Committee of the Honorable House of Assembly, for the Purpose in the said Resolution mentioned.

"*Ordered*, That Mr. Landon, wait on the Honorable House of Assembly, with a Copy of the foregoing Resolution and Order. *A true Copy from the Minutes*,

ROBERT BENSON, Clerk."

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising Monies, to be applied towards the public Exigencies of this State*," after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Gordon, from the said Committee reported, that he was directed by the said Committee to report to the House, that they had made some further Progress in the said Bill, and to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

*Ordered*, That a Committee be appointed to prepare and bring in a Bill, for Taxing all unimproved appropriated Lands within this State, and that they report with all convenient Speed.

*Ordered*, That Mr. Benson, Mr. L'Hommedieu, Mr. Hatborn, Mr. Brasfer, Mr. Taylor and Mr. Harpur, be a Committee for that Purpose.

A Message from the Honorable the Senate, by Mr. Fonda, with a Requisition of Colonel Moses Hazen, Deputy Quarter-Master General, for certain Northern Services, and sundry Papers attending the said Requisition, together with sundry Resolutions of the Honorable the Senate thereon, were received and read—the said Requisition of Colonel Hazen, is in the Words following, viz.

"To the Honorable the Senate and Assembly, of the State of New-York.

"The respectful Requisition of Moses Hazen, Colonel in the Continental Army, and Deputy Quarter-Master General, for certain Northern Services.

"*Sheweth*, That from the Papers herewith produced, it will appear, that a certain Expedition is on Foot to the Northward, by Order of Congress.

"That for the Purpose of the said Expedition, a great Number of Sleds, Horses and Drivers, will be absolutely necessary.

"That to leave the Supply of the necessary Means of Conveyance, to depend on the private Inclinations of Individuals, may render the said Expedition abortive.

"The said Colonel Hazen, therefore requests the Aid of the Legislature of this State, in such Manner as they in their Wisdom shall think most proper, for the Supply of such a Number of Sleds, Horses and Drivers, as the Circumstances of this State will permit.

Poughkeepsie, February 9, 1778. MOSES HAZEN."

The Resolutions of the Honorable the Senate, on the said Requisition of Col. Hazen, are in the Words following, viz.

"*Resolved*, on the Requisition of Col. Hazen, Deputy Quarter-Master General, in the Continental Army, for an Aid of a Number of Sleds out of this State, for the Public Service, that he be permitted with the Advice and Assistance of the respective Committees, herein after mentioned, to engage as many Sleds with proper Horses, and a Driver for each, as he shall need and can be engaged voluntarily for the said Service, on the Terms and Conditions herein after mentioned, if the Honorable the House of Assembly do concur herein.

"*Resolved*, That in Case of the like Concurrence, if the said Col. Hazen, shall not with such Advice and Assistance as aforesaid, be able to procure by voluntary Engagement, a sufficient Number of Sleds, Horses and Drivers, for the said Service, and shall thereby find himself reduced to the Necessity of making an Impress for the Purpose, this Senate will with the Concurrence of the Honorable House of Assembly, by future Act of Legislature,



gislature, indemnify him and those acting under his Authority, for such Impress, *Provided always, and upon Condition* that such Impress be made, and in Conformity to the following Restrictions and Regulations, *viz.* That the Number of Sleds with a Pair of sufficient Horses and a sufficient Driver for each Sled, so to be Impressed, shall not exceed Five Hundred. That the said Five Hundred Sleds, with a sufficient Pair of Horses and a sufficient Driver for each Sled, shall be taken out of the Counties of *Dutchess, Ulster, Tryon and Albany*, in the following Proportions, *viz.* Out of the County of *Dutchess*, Sixty Two Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; Out of the County of *Ulster*, Fifty Sleds, with a sufficient Pair of Horses and a sufficient Driver for each Sled; Out of the County of *Tryon*, One Hundred Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; And out of the County of *Albany*, Two Hundred and Eighty Eight Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled.—That those to be taken out of *Dutchess*, shall be taken in the following Quotas, *viz.* From the Precinct of *Rhynbeck*, Twenty Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; from the Northeast Precinct, Seventeen Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; and from Charlotte Precinct, Twenty Five Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled.—That those to be taken out of *Ulster*, shall be taken in the following Quotas, *viz.* From *Kingston*, excluding the Town Spot and other Places in the said Town lately destroyed by the Enemy, Ten Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Hurly*, Eight Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Marble-Town*, Ten Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Rochester*, Fifteen Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; and from the *New-Paltz*, Seven Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled.—That those to be taken out of *Tryon* County, shall be taken in the following Quotas, *viz.* From each of the following five Districts, in the said County, *viz.* *Mohawks, Palatine, Canajohary, German-Flats and Kingstand* Districts, Eighteen Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Old England* District, in the said County of *Tryon*, Ten Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled.—And that those to be taken from out of the County of *Albany*, be taken in the following Quotas, *viz.* From that Part of the said County of *Albany*, which extends from the South Bounds of the County of *Albany*, to the South Bounds of the Manor of *Rensselaerwyck*, on the West Side of *Hudson's River*, Thirty Five Sleds, with a Pair of sufficient Horses and a sufficient Driver for each Sled; from the Districts of *Schohary* and *Duanesburgh*, Forty Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from the Manor of *Livingston*, Forty Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from the District of *East Camp*, Ten Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from the District of *Claverack*, Thirty Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from the District of *Kinderhook*, Twenty Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from the Manor of *Rensselaerwyck*, Forty Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Schaghtikook, Hofick and Cambridge*, Twenty Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Half-Moon*, Six Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Canestigeuna*, Twelve Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from the Township of *Schenectady* and *Corry's-Bush*, Twenty Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from *King's District*, in the said County of *Albany*, Ten Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled; from *Ball's-Town*, in the said County, Five Sleds, and a Pair of sufficient Horses and a sufficient Driver for each Sled.—That each Sled with the Horses, and the Driver, if a Slave, whether voluntarily engaged or impressed as aforesaid, into the aforesaid Service, shall be appraised at the Time of such Engagement, or Impress respectively, by the Committees of the respective Districts and Places.—That none of the said Sleds, Horses or Drivers so engaged or impressed, shall be kept in the said Service, for more than Twenty Four Days, without Consent of the Drivers respectively.—That Continental Wages shall be paid for them respectively, at the respective Times of Discharge, including a sufficient Allowance for the necessary Time for returning Home; and that every Sled with its Horses and Driver, if a Slave, shall in Case of Loss by the Accidents of War, or other unavoidable Accident, be paid for by the said Col. *Hazen*, according to such respective Appraisments as aforesaid.—*And Provided also*, and on express Conditions, that such Sleds, Horses and Drivers, as shall be procured in each District, by voluntary Engagement, shall be estimated in the impress in such District, as a Part of its Quota. *Ordered,*



*Ordered*, That Mr. *Fonda* wait on the Honorable House of Assembly, with the foregoing Requisition, and Copies of the foregoing Resolutions and of this Order, and request their Concurrence in the said Resolutions; and in Case of such Concurrence, that a Copy of the same and of this Order, shall, if the said Honorable House also concur herein, be certified by the President and Speaker, and delivered to Colonel *Hazen*.

The said Resolutions of the Honorable the Senate being read; Thereupon,

*Resolved*, That this House do concur with the Honorable the Senate, in their Resolutions for enabling Colonel *Hazen*, Deputy Quarter-Master General, to obtain the Aid of a Number of Sleds out of this State for the Public Service.

*Ordered*, That Mr. *Hardenbergh* and Mr. *Edie*, carry a Copy of the above Resolution, to the Honorable the Senate.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. February 11, 1778.

COPIES of two separate Messages from the Honorable the Council of Revision, to the Honorable the Senate, were received and respectively read, and are in the Words following, viz.

*"In Council for revising all Bills about to be passed into Laws by the Legislature of the State of New-York, on Wednesday the 4th February, 1778."*

*"Resolved*, That it does not appear improper to this Council, that the Bill entitled, *"An Act to empower the Governor, Lieutenant-Governor, or President of the Senate administering the Government of this State, to order the Commissioner and Commissaries therein mentioned, to issue the several Stores, Clothing and Necessaries therein specified, to the Uses and Purposes therein directed,"* should become a Law of this State.

*"Ordered*. That a Copy of the above Resolution signed by his Excellency the Governor, be delivered to the Senate, by Mr. Justice *Hobart*. GEO. CLINTON."

*"In Council for revising all Bills about to be passed into Laws by the Legislature of the State of New-York, on Friday the sixth Day of February 1778."*

*"Resolved*, That it does not appear improper to this Council, that the Bill entitled, *"An Act of Accession to, and Approbation of certain proposed Articles of Confederation and perpetual Union, between the United States of America, and to authorize the Delegates, of the State of New-York, to ratify the same on the Part and Behalf of this State, in the Congress of the said United States,"* should become a Law of this State.

*"Ordered*, That a Copy of the above Resolution signed by his Excellency the Governor, be delivered to the Senate, by Mr. Justice *Hobart*. GEO. CLINTON.

*True Copies.*

ROBERT BENSON, Clerk to the Senate."

The Committee to whom was referred the Letter from *Peter S. Deygert*, Chairman of the Committee of Tryon County, and the Affidavit of *John Smith*, enclosed in the said Letter, containing a Charge against *Michael Etdick*, Esq; (whose Name hath heretofore in the Journals of this House been wrote *Edie*) one of the Members of this House, brought in their Report thereon, which was read and agreed to; Thereupon,

*Resolved*, That *Peter S. Deygert*, Chairman of the Committee of Tryon County, either in Person or by some Person properly authorized, appear at the Bar of this House, with Witnesses to support the Charge contained in the said Letter and Affidavit against *Michael Etdick*, Esq; one of the Members of this House, giving to the said *Michael Etdick*, Esq; fourteen Days Notice, of the Day when he the said *Peter S. Deygert*, will so appear; to the End, that the said *Michael Etdick*, Esq; may be prepared for his Defence.

*Ordered*, That a Copy of the above Resolution, and Copies of the said Letter and Affidavit, be transmitted in a Letter from the Speaker, to the said *Peter S. Deygert*.

*Ordered*, That the Clerk serve the said *Michael Etdick*, Esq; with Copies of the above Letter, Affidavit, Resolution and Order.

Mr. *Drake*, from the Committee of the whole House, to whom was referred the Bill, entitled, *"An Act to remove Doubts concerning the Corporation of the City of Albany,"* reported to the House, that he was directed by the said Committee to report, that they had gone through the said Bill, and made some Amendments thereto; which Report he read in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

*Resolved*, That the Bill as amended to pass.

*Ordered*, That Mr. *Gordon* and Mr. *Coe*, carry the said Bill with the Amendments, to the Honorable the Senate.



The Bill entitled, "*An Act further to organize the Government of this State,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to ascertain the Places, from whence the Milage Fees of the respective Sheriffs, of the several Counties in this State, shall be computed,*" was read the second Time, and committed to a Committee of the whole House.

Mr. Harpur, from the Committee for that Purpose appointed, (according to Order) brought in a Bill, entitled, "*An Act for appointing one or more Commissioners, in each County of this State, to take in Subscriptions on Loan-Office Certificates,*" which was read the first Time and ordered a second Reading.

Mr. Jay from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Northern and Western Frontiers of this State,*" reported, that he was directed by the said Committee to report, that they had made some Progress in the said Bill, and to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

A Message from the Honorable the Senate, by Mr. Lawrence, that the Senate have passed the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" without Amendment.

Ordered, That Mr. Graham and Mr. Wickes, carry the said Bill to the Honorable the Council of Revision.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. February 12, 1778.

MR. JAY, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Northern and Western Frontiers of this State,*" reported, that they had gone through the said Bill, altered the Title, made several Amendments and added a Clause thereto, which they had directed him to report to the House; the Title as altered, being in the Words following, viz. "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Frontiers of this State,*" and he read the Report in his Place, and afterwards delivered the Bill with the Amendments and Clause, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill with the Amendments and Clause, be engrossed.

Mr. Whiting, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act further to organize the Government of this State,*" reported, that he was directed by the said Committee to report to the House, that the Committee had made some Progress in the said Bill, and to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y, 9 o'Clock, A. M. February 13, 1778.

A Message from the Honorable the Senate, by Jesse Woodhull, Esq; with the Bill, entitled, "*An Act to remove Doubts concerning the Corporation of the City of Albany,*" acquainting this House, that the Honorable the Senate have agreed to the Amendments proposed by this House to the said Bill, and the said Bill having been read, and it appearing that the same was amended accordingly,

Ordered, That Mr. Taylor and Mr. Cuyper, return the said Bill to the Honorable the Senate.

A Message from the Honorable the Senate, by Jonathan Landon, Esq; with a Copy of the Objections of the Council, for revising all Bills about to be passed into Laws by the Legislature of this State, to the Bill, entitled, "*An Act requiring all Persons holding Offices or Places under the Government of this State, to take the Oaths therein prescribed and directed,*" together with a Copy of the Amendments proposed by the Honorable the Senate, to be made in the said Bill.

The House proceeded to take the said Objections and Amendments into Consideration; Whereupon, Resolved, That this House do agree to the said Amendments.

Ordered, That Mr. Crane and Mr. Mills, return the said Bill to the Honorable the Senate, and acquaint them, this House do agree to the said Amendments, and desire the said Bill may be amended accordingly.

The engrossed Bill, entitled, "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Frontiers of this State,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Snyder and Mr. Swartwout, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

Mr.



Mr. *Whiting*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act further to organize the Government of this State*," reported, that the said Committee had gone through the said Bill, made several Amendments and added a Clause thereto, which he was directed to report to the House; and he read the Report in his Place, and delivered the Bill with the Amendments and Clause, in at the Table, where the same were again read. and agreed to by the House.

Ordered, That the said Bill and Amendments be engrossed.

A Copy of a Message from his Excellency the Governor, to the Honorable the Senate, was received and read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I recommend to your Consideration, the several Matters contained in the Petition of the Committee and a Number of Freeholders of *Tryon* County, dated the 27th of January last, which I am requested to lay before you, a Copy of which Petition will be herewith delivered to you.

"The unhappy Condition of the Families of those brave Men, who fell in Defence of their Country, in the Action under General Harkimer, I flatter myself will engage your early Attention, and that such Relief will be afforded to them by the Public, as Justice will warrant and their peculiar Distresses require.

"You will also receive with this Message, Copies of the Resolutions of Congress, of the 19th of December and 21st of January last, regulating the Conduct to be observed in future in the Treatment of Prisoners of War, which as they are founded on the strictest Principles of Justice and good Policy, I have great Reason to hope will produce the Salutary Effects thereby intended.

*Poughkeepsie, February 12, 1778.*

GEO. CLINTON.

Copy examined by

ROBERT BENSON, Clerk to the Senate."

Copies of the Papers mentioned in his Excellency's said Message, and referred to therein, were also read.

Ordered, That his Excellency's said Message, and the Papers accompanying the same, be committed to a Committee. And that Mr. *Brashear*, Mr. *Hatborn* and Mr. *Harpur*, be a Committee for that Purpose.

Mr. *Hardenbergh* laid before the House, a Paper he had received from *Ulster* County, containing Information, relative to the *Mobegan* Tribe of Indians, residing Westward of the said County. The same being read.

Ordered, That the said Paper be referred to the Members of *Ulster* County.

Resolved, That this House will on Tuesday next, resolve itself into a Committee of the whole House, on the Report and Journal of the Proceedings of the late Convention of Commissioners, at *New-Haven*, in Pursuance of the Resolutions of Congress, of the 22d November last.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. February 14, 1778.

THE Committee to whom was referred the Paper from *Ulster* County, containing information relative to the *Mobegan* Tribe of Indians, residing Westward of the said County, reported the following Resolution, which was agreed to by the House, viz.

"Resolved, (if the Honorable the Senate shall concur herein) that his Excellency the Governor, be requested to write to the Continental Commissioners for Indian affairs at *Albany*, informing them of the Contents of the said Paper, and requesting them to take proper Measures, for quieting the Minds and securing the Friendship of the *Mobegan* Tribe of Indians, residing Westward of *Ulster* County; and recommending that proper Persons in the said County, should be authorized to hold a Treaty with the said Indians, for that Purpose."

Ordered, That Mr. *Cantine* and Mr. *Hardenbergh*, carry a Copy of the said Paper, and of the above Resolution to the Honorable the Senate, and request their Concurrence thereto.

The engrossed Bill entitled, "*An Act further to organize the Government of this State*," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Jay* and Mr. *Williams*, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

Mr. *Klock*, moved for Leave to bring in a Bill, for the better clearing, regulating and further laying out public Highways, in the County of *Tryon*.

Ordered, That Leave be given accordingly.

Then the House adjourned until Monday next at three o'Clock in the Afternoon.

MONDAY,



M O N D A Y, 3 o'Clock P. M. February 16, 1778.

A Message from the Honorable the Senate, by *John Williams*, Esq; was read, and is in the Words following, viz.

" State of *New-York*.

*In Senate, February 14, 1778.*

" *Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolution of this Day, requesting his Excellency the Governor, to write to the Continental Commissioners for Indian affairs at *Albany*, relative to the *Mohegan* Tribe of Indians, residing Westward of *Ulster* County.

" *Ordered*, That Mr. *Williams*, carry a Copy of the said Resolution, to the Honorable House of Assembly.

*A true Copy from the Minutes.*

R O B E R T B E N S O N, Clerk."

*Ordered*, That Mr. *Hardenbergh* and Mr. *Rea*, wait on his Excellency the Governor, with the said Paper from *Ulster* County, a Copy of the Resolution of this House, passed thereon on Saturday last, and a Copy of the said Message, or Resolution of Concurrence of the Senate thereto.

A Letter from *Henry Rutgers*, jun. Esq; one of the Members of this House, dated the 13th Instant, and directed to the Speaker, was read, informing that it is impossible for him, by Reason of a previous Appointment in the Army, to attend in his Seat.

Thereupon, *Resolved*, That the Seat of *Henry Rutgers*, jun. Esq; a Member of this House, is vacant.

*Resolved*, That the Honorable the Senate be requested, pursuant to an Ordinance of the Convention of this State, passed on the 8th Day of May last, for organizing and establishing the Government, agreed to by the said Convention, to choose a Representative in Assembly, for the City and County of *New-York*, in the Stead of *Henry Rutgers*, jun. Esq; whose Seat in this House is declared vacant.

*Ordered*, That Mr. *Brashear* and Mr. *Hoffman*, carry a Copy of the above Resolution, to the Honorable the Senate.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. February 17, 1778.

M R. *L'Homedieu*, from the Committee for that Purpose appointed, (according to Order) brought in a Bill, entitled, *An Act for assessing and collecting Taxes from appropriated and unimproved Lands in this State*," which was read the first Time, and ordered a second Reading.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on the Journal of the Proceedings of the Convention of Commissioners of the several States of *New-Hampshire*, *Massachusetts-Bay*, *Rhode-Island* and *Providence Plantations*, *Connecticut*, *New-York*, *New-Jersey* and *Pennsylvania*, who met at *New-Haven* in January last, pursuant to a Resolution of Congress, of the 22d Day of November last.

After some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Williams*, from the said Committee, reported, that the Journal of the Proceedings of the said Convention, were deliberately read,—That the said Resolutions of Congress, of the 22d of November, and the Letter from the Honorable *Henry Laurens*, Esq; President of Congress, dated the 23d of December last, accompanying the said Resolutions, were also read,—That the said Committee had made some Progress in the Business mentioned in the said Journal and Resolutions of Congress, and had directed him to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

*Resolved*, That this House will on Thursday next, resume the Consideration of the Report, and Journal of the Proceedings of the said Convention.

A Letter from *John Barclay*, Esq; Chairman of the Committee of *Albany*, requesting the Directions of the Legislature, for the Distribution of certain charitable Donations made in that County, for the Relief of the distressed Inhabitants on the Frontiers, was read.

*Ordered*, That Mr. Speaker by Letter, inform Mr. *Barclay*, that an Act of the Legislature for the Distribution of the said charitable Donations, has passed this House, and is now before the Honorable the Senate, and will probably soon become a Law of this State.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. February 18, 1778.

A Message from the Honorable the Senate, by *Lewis Morris*, Esq; was read, and is in the Words following, viz.

State



" State of *New-York*.

*In Senate, February 18, 1778.*

" Ordered, That Mr. Scott, Mr. Smith and Mr. Platt, be a Committee to confer with such Committee, as the Honorable House of Assembly may think proper to appoint for the Purpose, on the Steps necessary to be taken on Bills; that may be sent back by the Council of Revision, to the Senate or Assembly, with Objections which may in part or in whole, be admitted to be good, and whereon Amendments may accordingly be made in such Bills."

The same being taken into Consideration,

Ordered, That Mr. Benson, Mr. Hatborn, Mr. L'Hommedieu, Mr. Brashear and Mr. Banker, be a Committee for the Purposes mentioned in the said Message.

And Ordered, That Mr. Graham and Mr. Whiting, carry a Copy of the above Order to the Honorable the Senate.

The Committee of this House, from the joint Committee of the Senate and Assembly, to whom were referred the Consideration of the Papers, mentioned in his Excellency's Message, of the sixth instant, relative to the Situation of some of the good Subjects of this State, in the Eastern District thereof, brought in the Report of the said Committee, which was read.

The House resolved itself into a Committee of the whole House, on the said Report—after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Miller, from the said Committee, reported, that the Committee had made some Progress in the said Report, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. February 19, 1778.

THE Bill entitled, "*An Act for assessing and collecting Taxes from the appropriated and unimproved Lands in this State,*" was read the second Time, and committed to a Committee of the whole House.

The Order of the Day for resuming the Consideration of the Report and Journal of the Proceedings of the late Convention at *New-Haven*, being read.

Ordered, That the Consideration thereof, be postponed until To-Morrow.

A Message from the Honorable the Senate, by *Lewis Morris*, Esq; was read, and is in the Words following, viz.

" State of *New-York*.

*In Senate, February 18, 1778.*

" The Senate proceeded to the Consideration of the Resolution of the Honorable House of Assembly of Yesterday, requesting the Senate to choose a Representative in Assembly for the City and County of *New-York*, in the Stead of *Henry Rutgers*, jun. Esq; whose Seat in that Honorable House is declared vacant.

" Whereupon, *John Berrien*, Esq; was chosen to fill the said vacant Seat.

" Ordered, That Mr. Speaker write to *John Berrien*, Esq; informing him of his Election by the Choice of the Honorable the Senate, and desiring his immediate Attendance in this House as a Member."

A Message from the Honorable the Senate, by *John Williams*, Esq; with the Bill, entitled, "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Frontiers of this State,*" with an Amendment proposed by that Honorable House to the said Bill.

The House proceeded immediately to the Consideration of the said Amendment;

Thereupon, Resolved, That this House do agree with the Honorable the Senate, in their proposed Amendment to the Bill, entitled, "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Frontiers of this State,*" and it appearing that the said Amendment cannot be entred on the said Bill, without defacing the same.

Ordered, That the said Bill be re-engrossed agreeable to such Amendment.

Ordered, That Mr. Hardenbergh and Mr. Rowan, carry back the said Bill so amended, to the Honorable the Senate.

A Copy of a Message from the Honorable the Council of Revision, to the Honorable the Senate and certified by their Clerk, was received and read, and is in the Words following, viz.

" In Council for Revising all Bills about to be passed into Laws by the Legislature of this State of *New-York*, on Tuesday the 17th Day of February, 1778.

" Resolved, That it does not appear improper to this Council, that the Bill, entitled, "*An Act to remove Doubts, concerning the Corporation of the City of Albany,*" should become a Law of this State.

" Ordered,



"Ordered, That a Copy of the above Resolution, signed by his Excellency the Governor, be delivered to the Honorable the Senate, by Mr. Justice *Hobart*.

GEO. CLINTON."

A Copy of a Message from his Excellency the Governor, delivered to the Honorable the Senate, and certified by their Clerk was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"I think it my Duty to lay before you, a Copy of a Letter, dated the fifth Day of February, from *James Deane*, Esq; to the Commissioners of Indian Affairs, for the Northern Department, with a Copy of a Letter, from them to Congress. And also the Copy of a Letter from Major General *Schuyler* to me, both dated the 8th February Instant, as these Papers tend to discover the hostile Disposition of some of the Savage Tribes, (who are influenced by the Bribes and wicked Machinations of our cruel Enemy) and to evince the Necessity of adopting proper Measures, for securing the Western Frontiers against their Ravages.

*Poughkeepsie, February 18, 1778.*

GEO. CLINTON."

"Resolved, That the said Message of his Excellency, and the Copies of the several Letters accompanying the same, be committed to a Committee.

"Ordered, That Mr. *Benson*, Mr. *Cantine* and Mr. *R. Van Rensselaer*, be a Committee for that Purpose and that they report thereon, with all convenient Speed.

A Message from the Honorable the Senate, by *Jonathan Lawrence*, Esq; was read, and is in the Words following, viz.

"State of New-York.

*In Senate, February 19, 1778.*

"Mr. *Lawrence* informed the Senate, that *William Harpur* and *Mathew Cantine*, Esqrs; and himself, were by a Resolution of the Convention of this State, of the 9th Day of May last, appointed Commissioners to superintend the Manufacture of Gun-Flits, Sulphur, Lead and Salt with a Power to draw out of the Treasury, a Sum not exceeding Three Thousand Pounds for that Purpose.—That Mr. *Harpur* has had the immediate Superintendence of the Manufactory of Sulphur. That the Preparations hitherto made, and making for the said Manufactory will cost near Six Thousand Pounds, for which nine Sets of Apparatus, for the said Manufactory will be procured. That he conceives that one Set will be sufficient, to try the Practicability of carrying on the said Manufacture of Sulphur, to public Advantage.—That the Apparatus, will occasion the principal Part of the Expence of the Work. That the nine Sets have been contracted for, but that he is uncertain whether they are made. That of the said Three Thousand Pounds, there have been drawn out of the Treasury, One Hundred Pounds by him Mr. *Lawrence*, Three Hundred Pounds by Mr. *Harpur*, and he believes at least Three or Four Hundred Pounds by Mr. *Cantine*, which has been applied in the Superintendence of the said several Manufactures.

"That Mr. *Harpur* now desires him Mr. *Lawrence*, to join him in a Draft of Eight or Nine Hundred Pounds, to be applied to the Sulphur Manufacture, which he has not hitherto consented to, because he conceives it was improper to engage nine Sets of Apparatus, before a full Experiment had determined in Favour of the Utility of the Manufacture; and because the Erection of Works, with nine Sets of Apparatus, will vastly exceed the Sum allowed to be drawn by the said Commissioners, for all the said Manufactories of Gun-Flints, Sulphur, Lead and Salt. And therefore hopes the Legislature will give him some Directions in the Premises.

"The said Application being taken into Consideration; Resolved, if the Honorable House of Assembly concur herein; that the said Commissioners proceed so far only with the said Manufacture of Sulphur, as completely to erect and set at Work one Set of Apparatus, to the End that by a full Experiment, it may be determined whether the Erection of any other and how many other Sets of Apparatus will be of public Utility, and that the said Commissioners ought not to draw out of the said Treasury, any more of the said Sum of Three Thousand Pounds, to be applied to the said Manufacture of Sulphur, than what will be necessary for fully making the said Experiment, and pay for such Part of said Apparatus as may be made.

"Ordered, That Mr. *Lawrence*, wait on the Honorable House of Assembly, with a Copy of his said Application, and of the Resolution of this Senate thereon.

*A true Copy from the Minutes.*

R O B E R T B E N S O N, Clerk."

Four several Copies of a Petition, subscribed by a Number of the Freeholders and Inhabitants on the South Side of the Mountains, in *Orange County*, setting forth their Defenceless Situation and praying that Guards may be stationed in the Southern Parts of the said County, was read and committed to the Members of *Orange County*.

Then the House adjourned until nine o'Clock To-Morrow Morning.

FRIDAY,



FRIDAY 9 o'Clock, A. M. February 20, 1778.

A Message from the Honorable the Senate, by *Jesse Woodbull*, Esq; that the Senate have passed the Bill, entitled, "*An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Frontiers of this State.*"

Ordered, That *Mr. Hoffman* and *Mr. Jay*, carry the said Bill to the Honorable the Council of Revision.

A Message from the Honorable the Senate, by *Jonathan Lawrence*, Esq; that the Senate have passed the Bill, entitled, "*An Act for granting to the Governor, the Sum of Ten Thousand Pounds, for paying, subsisting and defraying the contingent Expences of the Militia, whenever he shall call them into actual Service.*"

Ordered, That *Mr. Robert Van Rensselaer* and *Mr. Graham*, do carry the said Bill to the Honorable the Council of Revision.

The House then took into Consideration the Message received Yesterday, from the Honorable the Senate, and the Resolution of that House, relative to certain Commissioners appointed by the late Convention of this State, on the 9th Day of May last, to superintend the Manufactures of Gun-Flints, Sulphur, Lead and Salt.

Ordered, That *Mr. Taylor* and *Mr. L'Hommiedieu*, be a Committee to confer with *Jonathan Lawrence* and *William Harpur*, Esqrs. on the Subject Matter of the said Message, and to report thereon with all convenient Speed.

Ordered, That *Mr. Speaker* write a Letter to *Peter T. Curtenius*, Esq; desiring him to come to this Place, prepared to proceed immediately to the Eastern States, to purchase Clothing for the Army—And requesting him at the same Time, to inform the House what Cash belonging to the State remains in his Hands, the better to enable the House to determine what farther Sum may be necessary to advance to him, and also to inform the House what Clothing or Necessaries for the Troops he has on Hand.

On Application of *Henry Schenk*, Esq;

Resolved, That this House will, with the Concurrence of the Honorable the Senate, pass a Law (should the same be necessary) to indemnify *Henry Schenk*, Esq; Assistant Commissary General of Purchases, for transporting One Thousand Barrels of Flour out of this State, for the Use of the Troops in the Eastern States.

Ordered, That *Mr. Van Horne* and *Mr. Bancker*, carry a Copy of the above Resolution to the Honorable the Senate, and request their Concurrence thereto.

A Message from the Honorable the Council of Revision, by the Chief Justice, was read, and is in the Words following, viz.

"In the Council for revising all Bills about to be passed into Laws, by the Legislature of the State of New-York, on Friday the 20th Day of February, 1778.

"The engrossed Objections to the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State.*" were read and approved of.

"Ordered, That the said Bill, together with the Objections thereto, signed by his Excellency the Governor, be delivered to the Assembly by the Chief Justice."

The Objections to the said Bill being read, are in the Words following, viz.

"Objections of the Council constituted to Revise all Bills about to be passed into Laws by the Legislature, to the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" becoming a Law of this State.

"The Council object to the said Bill, as being inconsistent with the Spirit of the Constitution of this State,—Because it recognizes the late supposed Council of Safety as a Legislative Body, when in Fact all Legislative Power, is to be exercised by the immediate Representatives of the People in Senate and Assembly, in the Mode prescribed by the Constitution; for tho' the People of this State, have heretofore been under the Necessity of delegating their Authority, to Provincial Congresses and Conventions, and of being governed by them; and Councils and Committees of Safety, by them from Time to Time appointed; yet this Council conceives, that these were mere temporary Expedients to supply the Want of a more regular Government, and to cease when that prescribed by the Constitution, should take Place, and can in no wise justify the Appointment of a Council of Safety, other perhaps, than as a Committee to advise and recommend, after the Organization of the present Government, and the actual entry of the Senate and Assembly, upon the Business of Legislation; at which Period, the Council are of Opinion, that all Conventions and Councils of Safety had ceased, and could not thereafter be instituted or appointed, consistent with the Constitution of this State; and that the People did not give or delegate to their Representatives in Senate or Assembly, any Power or Authority at their Discretion, to revive the Government by Conventions or Councils of Safety, or in any other Manner to dispense with, or suspend the Government established by the Constitution. These Objections, in the Opinion of the



the Council, operate with the greater Force against the Recognition of the Council of Safety in Question, as it was not even appointed by the Legislature, but by a Number of the Members, who had resolved themselves into a Convention, after the Organization of the Government instituted by the Constitution; and therefore, altho' the Rectitude and well meaning Zeal of that Council of Safety, may give them a Claim to Indemnity, neither the Mode of their Institution or the Edicts they made, ought in the Opinion of this Council to be held up by the Legislature, as constitutional or obligatory, especially as the Constitution does expressly, "*Ordain determine and declare, that no Authority shall on any Pretence whatsoever, be exercised over the People or Members of this State, but such as shall be derived from and granted by them.*"

On these Principles this Council find themselves, constrained to object to the Preamble of this Bill. It recognizes and speaks of this Council of Safety, as if it had been a Body constitutionally instituted, and known in the Law of the Land. It speaks of their Resolution, as *laying an Embargo*, which it was expedient to *continue*, thereby intimating that the said Resolution was obligatory on the People, when in Fact it was not obligatory, nor were they in the least bound to obey or regard it.

On the same Principles this Council, also object to the first enacting Clause.

It enacts that the said Resolution of the Council of Safety, and the Embargo *thereby laid*, [except such Parts thereof as are therein after repealed] shall *stand* and be confirmed, and *continued*; thereby plainly giving Countenance to the said Resolution, and evidently acknowledging it to have Force and Validity.

The second third and fifth Clauses, are under the like Predicament with the first, and the Council objects to them on the same Principles.

The Council objects to the sixth enacting Clause, as inconsistent with the Spirit of the Constitution.

*First.* Because this Clause supposes the Continuance of County and District or Precinct Committees, and thereby implies, that they are necessary and proper to the Government of this State; but the Government established by the Constitution, knows of no County or District or Precinct Committees, and being Appendages to, and Parts of the same System of Expedients with Conventions and Councils of Safety, they ceased together, and cannot, consistent with the Constitution be revived.

*Second.* The Council object to the Court instituted by this Clause for the Trial of intentional Exports without Licence.

Because, in this Court the Person who makes the Seizure, is to empanel the Jury, and yet no Power is given to compel their Attendance; he is to sit as Judge, to determine the Propriety of Evidence and Challenges, and yet in certain Cases must be the Prosecutor.

In this Court the Party prosecuted, may be proceeded against in his Absence, and condemned to forfeit his Property, without a hearing; for Notice to the Person then having the Care and Possession of the Flour, &c. is no Notice to the Owner; nor in Case such Person be a Slave, is any Notice to be given to the Owner of the Flour, unless he happens to be known to the Person who seized it.

In this Court no Means are provided, whereby the Defendant can compel the Attendance of his Witnesses.

In this Court, the Defendant cannot compel a speedy Trial, for the Person who made the Seizure, is at Liberty by the Bill, to cause the Inquiry to be made when he may think proper.

In this Court, Provision is made for the Payment of Costs and Charges, only on the Conviction, but not on the Acquittal of the Defendant; so that the Court and Jury as well as Witnesses, will be interested against him.

The Council object to the said Bill, as being in their Opinion, inconsistent with the public Good.

*First.* Because as the Bill recognizes the Council of Safety, and their Resolution for laying an Embargo, in Terms which amount to an Acknowledgment of their Right to make Laws; all the other Resolutions they have passed, must be deemed of equal Validity with this; whereby a Number of new Laws, which have never been under the Consideration of the Legislature, and perhaps repugnant to the Constitution, will be introduced among the Laws of this State.

*Second.* Because in the Opinion of this Council, every Freeman in this State has a Right to do any Act, which is not forbidden by the Laws of God or of the State, and therefore that such Acts, cannot, consistent with the public Good, be deemed to have been illegal, by Laws afterwards made, and which did not exist at the Time when such Acts were done; wherefore the Council object to that Part of the first Clause in the Bill, which retrospects, and attempts to validate and confirm certain Parts of the Resolution of the Council of Safety, *from the Time it was made and published.*

*Third.*



*Third.* Because however expedient an Embargo may be, yet Liberty is not granted for the Transportation of Flour, &c. from the Southern States, thro' this State, to *New-England*.

*Fourth.* Because it is not, in the Opinion of this Council, consistent with the public Good, that the first Magistrate of the People, should be diverted from the important Duties of his Office, by a Necessity of personally hearing and trying the Merits of the numerous Applications, which will be made to him for Licences, from different Parts of this and the Neighbouring States, as well as from the Commissaries of the Army, which Business it will be very difficult for him to transact, when called into the Field at the Head of the Militia.

*Fifth.* Because as the Governor is the only Person, authorized by the Bill to grant Licences, it imposes undue Hardships and Expence on the Inhabitants of those Parts of the State, who are remote from the Place of his Residence.

*Sixth.* Because as by the Bill, mere Suspicion alone, without any Proof or Evidence of Intention to export without Licence, is sufficient to justify any Committee Man, Justice, Sheriff or other Peace Officer, to seize and detain Flour, &c. passing thro' any Part of this State, the Council apprehend that the Domestic Trade of the People of this State, with one another, will be subjected to Difficulties and Interruptions, and Innocent Men often distressed; especially as on such Seizure, they will be obliged to maintain their Cattle, Horses and Slaves, at the Place in which they may be seized, until the Person who seized them, may think proper to give them a Trial; and which, if there be Malice in the Case, will on various Pretences, of Witnesses absent, &c. be unnecessarily protracted and delayed.

*Seventh.* Because altho' the Bill makes it lawful, for the Governor with the Advice of two Members of the Legislature, to grant Licences for Exports, it does not require him, or make it his Duty to do it, so that should he decline acting as a Commissioner, for granting those Licences, none will or can be granted; and consequently all Exports, even for the Use of the Army, must cease. The Members of the Legislature are also left at Liberty, by the Bill, either to attend the Governor when called, and advise him on the Propriety of granting particular Licences, or not, so that should they find it inconvenient to be often called from home on this Business, without Compensation, and therefore decline it, in that Case, also, no Licences can be granted.

*Eighth.* Because as this Bill is to continue in Force until repealed, and as the future Meeting of the Legislature, may be rendered uncertain by the Military Operations in this State, the Embargo may exist longer than the Necessity which dictated it, in which Case the Trade of this State would be injured, and the Neighbouring States stimulated to Retaliation, especially considering how greatly they were censured by this State, for laying Embargoes when not pressed thereto by Necessity.

*By Order of the Council.*

*Poughkeepsie, February 20, 1778.*

GEO. CLINTON.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on the Report and Journal of the Proceedings of the Convention of the Commissioners of the several States, who met at *New-Haven*, in January last, pursuant to a Resolution of Congress, of the 22d Day of November last.—After some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Williams* from the said Committee reported, that the said Committee had gone through the said Report and Proceedings of the said Convention, and do approve of the same; which Report he read in his Place and delivered the same in at the Table, where the same was again read, and agreed to by the House.

*Resolved,* That this House do agree with their Committee in the said Report.

*Ordered,* That a Bill be brought in for regulating the Prices of Labour, Manufactures, internal Produce and Foreign Commodities, and for regulating the Charges of Innholders within this State.

*Ordered,* That Mr. *Williams*, Mr. *Gordon* and Mr. *Benson*, be a Committee for that Purpose.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. February 21, 1778.

**R**ESOLVED that this House will, with the Concurrence of the Honorable the Senate, pass a Law (should the same be necessary) to indemnify *David Gelston* and *Ezra L'Hommiedieu*, Esquires, for transporting forty-eight Barrels of Flour out of this State, for the Use of their Families, together with some other Refugees from *Long-Island*, who are now residing in *Connecticut*.

P

*Ordered,*



Ordered, That Mr. Gelston and Mr. L'Homedieu, carry a Copy of the said Resolution to the Honorable the Senate, and request their Concurrence thereto.

A Petition of Egbert Dumond, Esq; respecting the Business by him transacted as Commissary of Provisions, was read.

Ordered, That the same be committed to a Committee, and that Mr. Bancker, Mr. Gordon and Mr. Lawrence, be a Committee for that Purpose.

A Message from the Honorable the Council of Revision, by the Chancellor, was read, and is in the Words following, viz.

"In the Council for revising all Bills about to be passed into Laws by the Legislature of the State of New-York, on Saturday the twenty-first Day of February, 1778.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, "An Act for the Distribution of sundry charitable Donations, to certain distressed Inhabitants, on the Frontiers of this State." should become a Law of this State.

"Ordered, That a Copy of the above Resolution signed by his Excellency the Governor, be delivered to the Honorable the Assembly by the Chancellor.

GEO. CLINTON."

The Bill entitled, "An Act for appointing one or more Commissioners in each County of this State, to take in Subscriptions on Loan Office Certificates," was read the second Time, and committed to a Committee of the whole House.

A Message from the Honorable the Council of Revision, by the Chief Justice, was read, and is in the Words following, viz.

"In the Council for revising all Bills about to be passed into Laws by the Legislature of the State of New-York, on Saturday the 21st Day February, 1778.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, "An Act for granting to the Governor the Sum of Ten Thousand Pounds, for paying, subsisting and defraying the contingent Expences of the Militia, whenever he shall call them into actual Service," should become a Law of this State.

"Ordered, That a Copy of the above Resolution signed by his Excellency the Governor, be delivered to the Honorable the Assembly, by the Chief Justice.

GEO. CLINTON."

Resolved, That David Currie, Esq; Commissary for supplying the Troops of this State, with such Articles as are not allowed to them by the Commissary General, be requested to provide for the Use of the said Troops, four Hogheads of good Proof Rum, two Hogheads of Muscovado Sugar, and fifty Weight of Pepper; and that he supply the said Troops with the same on Credit, in the Manner heretofore observed, at the same Prices at which the same are supplied by the State of Connecticut, to the Continental Troops raised under the Direction of that State; and that this House will, with the Concurrence of the Honorable Senate, provide for the Expence thereof.

Ordered, That Mr. K. Van Rensselaer and Mr. Klock, wait on the Honorable the Senate with a Copy of the above Resolution, and desire their Concurrence thereto.

The House resolved itself into a Committee of the whole House, on the Report of the Committee of this House, from the joint Committee of the Senate and Assembly, to whom were referred the Consideration of the Papers mentioned in his Excellency the Governor's Message of the sixth Instant, relative to the Situation of some of the good Subjects of this State, in the Eastern District thereof,—After some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Miller, from the said Committee, reported, that they had proceeded to the further Consideration of the said Report, that when they came to that Part of the said Report which contains certain Paragraphs in the said Report, which were in the Words and Figures following, viz.

"Thirdly. That where Lands have heretofore been granted by New-Hampshire and Massachusetts-Bay, or either of them, and actually possessed in Consequence thereof, and being so possessed, were afterwards granted by New-York, such Possessions shall be confirmed, the posterior Grant under New-York notwithstanding.

"Fourthly. That if any Persons deriving Title under New-York, shall be deprived of Property in Consequence of the Regulation last above mentioned, such Persons ought to be compensated for such Loss of Property, by the Legislature of this State, in such Manner as they in their Wisdom shall deem just and equitable."

A Motion was made that the last of the two Paragraphs should be rejected; that Debates arose, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Hathorn,  
Mr. Jay,  
Mr. L'Homedieu,  
Mr. Brinckerhoff,

Mr. Mills,  
Mr. Swartwout,  
Mr. Williams,  
Mr. Benson,

Mr. Bancker,  
Mr. Vrooman,  
Mr. Cantine,  
Mr. Lawrence,

Mr. Gelston,  
Mr. Boerum,  
Mr. Graham,  
Mr. Honeywell,

Mr. Whiting,  
Mr. Van Horne,  
Mr. Klock,  
Mr. E. Clarke.

Mr. Livingston,  
Mr. Hoffman

For



## For the Negative.

Mr. Brasher,  
Mr. Gordon,  
Mr. R. Van Rensselaer,

Mr. Coe,  
Mr. Cuyper,  
Mr. K. Van Rensselaer,

Mr. Snyder,  
Mr. Harpur,  
Mr. Taylor,

Mr. Speaker,  
Mr. Rowan,

Mr. Van Houten,  
Mr. Hardenbergh.

That when the Committee came to that Paragraph in the said Report, which is in the Words following, viz.

"That in all Cases where Grants or Confirmations, shall become necessary on Acceptance of the above Overtures, such Grants or Confirmations shall issue to the Grantees, at and after the Rate of Five Pounds for a Grant or Confirmation of Three Hundred Acres or under, and for every additional Hundred Acres, the additional Sum of Sixteen Shillings,—Except in Cases wherein Lands shall be granted or confirmed to divers Persons in one entire Tract, in which Case the Grant shall issue respectively for Fifteen Pounds each, which Allowances shall be in Lieu of all other Fees or Perquisites whatsoever," Mr. Speaker moved that the said Paragraph be rejected; that Debates arose, and the Question being put, it was carried in the Negative, in the Manner following, viz.

## For the Negative.

Mr. Gelfton,  
Mr. Hathorn,  
Mr. Harpur,  
Mr. Taylor,

Mr. Honeywell,  
Mr. Van Horne,  
Mr. Klock,  
Mr. Cantine,

Mr. E. Clarke,  
Mr. Coe,  
Mr. Lawrence,  
Mr. Graham,

Mr. Benson,  
Mr. Hardenbergh,  
Mr. Williams,  
Mr. L'Homedieu,

Mr. Bancker,  
Mr. Swartwout,  
Mr. Vrooman,  
Mr. Boerum,

Mr. Brinckerhoff,  
Mr. Brasher,  
Mr. Jay,  
Mr. Mills.

## For the Affirmative.

Mr. R. Van Rensselaer,  
Mr. Gordon,

Mr. Speaker,  
Mr. Rowan,

Mr. Whiting,  
Mr. Hoffman,

Mr. K. Van Rensselaer,  
Mr. Livingston,

Mr. Van Houten,  
Mr. Cuyper.

That the said Committee had gone through the said Report, and made several Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the same with the Amendments in at the Table, where the same being again read, were agreed to by the House, and are in the Words following, viz.

"The Committee of this House, from the joint Committee of the Senate and Assembly, to whom were referred the Consideration of the Papers mentioned in his Excellency the Governor's Message of the 6th Instant, relative to the Situation of some of the good Subjects of this State in the Eastern District, beg Leave to report,

"That the Disaffection of many Persons, inhabiting the North Eastern Parts of the County of *Albany*, and certain Parts of the Counties of *Charlotte*, *Cumberland* and *Gloucester*, clearly included within the ancient, original, true and lately established Bounds of this State, arose from a Contest about the Property of the Soil of many Tracts of Land, within those Parts of the said Counties respectively.

That the said Contest was occasioned partly by the issuing of divers interfering Patents or Grants, by the respective Governments of *New-York*, on the one Part, and those of *Massachusetts-Bay* and *New-Hampshire*, on the other, antecedent to the late Establishment of the Eastern Boundary of this State; partly by an higher Quit-Rent reserved on the said Lands, when re-granted under *New-York*, than were reserved in the original Grants under *New-Hampshire* or *Massachusetts-Bay*, and the exorbitant Fees of Office accruing thereon; and partly by a Number of Grants made by the late Government of *New-York*, after the Establishment of the said Eastern Boundary, for Lands which had been before granted by the Governments of *New-Hampshire* and *Massachusetts-Bay*, respectively, or one of them; in which last mentioned Grants by the late Government of *New-York*, the Interest of the Servants of the Crown, and of new Adventurers, was, in many Instances, contrary to Justice and Policy, preferred to the equitable Claims for Confirmation of those who had patented the Lands under *New-Hampshire* or *Massachusetts-Bay*.

That the aforesaid Disaffection has, in the Opinion of the said joint Committee, been greatly increased, by an Act passed by the Legislature of the late Colony of *New-York*, on the ninth Day of March, in the Year of our Lord One Thousand Seven Hundred and Seventy-Four, entitled, "*An Act for preventing tumultuous and riotous Assemblies in the Places therein mentioned, and for the more speedy and effectual punishing the Rioters.*"

"That in the Opinion of the said Committee, many of the aforesaid disaffected Persons, tho' unjustifiable in their Opposition to the Authority of this State, labour under Grievances arising from the Causes above mentioned, which in some Measure extenuate their Offence, and which ought to be redressed.

"That therefore the Legislature of this State, while on the one Hand, they should vigorously maintain their rightful Supremacy over the Persons and Property of those disaffected Subjects, ought in the Opinion of the said Committee on the other Hand, to make Overtures to induce the voluntary Submission of the Delinquents.

"That the said Committee are of Opinion, that an absolute and unconditional Discharge, and Remission of all Prosecutions, Penalties and Forfeitures, under the above mentioned



mentioned Act, ought to serve as an established Preliminary to such Overtures; which Overtures ought in the Judgment of the said Committee, to be as follows, *viz.*

"*First.* That all Persons actually possessing and improving Lands, by Title under Grants from *New-Hampshire* or *Massachusetts-Bay*, and not granted under *New-York*, shall be confirmed in their respective Possessions.

"*Second.* That all Persons actually possessing and improving Lands, not granted by either of the three Governments, shall be confirmed in their respective Possessions, together with such additional Quantity of vacant Land, lying contiguous to each respective Possession, as may be necessary to form the same into a convenient Farm; so as the Quantity to be confirmed to each respective Person, including his Possession, shall not exceed Three Hundred Acres.

"*Third.* That where Lands have heretofore been granted by *New-Hampshire* and *Massachusetts-Bay*, or either of them, and actually possessed in Consequence thereof, and being so possessed, were afterwards granted by *New-York*, such Possessions shall be confirmed, the posterior Grant under *New-York*, notwithstanding.

"*Provided always,* That nothing in the above Resolutions contained, shall be construed to determine any Question of Title or Possession, that may arise between different Persons, claiming under *New-Hampshire* or *Massachusetts-Bay*, or between Persons claiming under *New-Hampshire* on the one and under *Massachusetts-Bay* on the other Part, independent of any Right or Claim under *New-York*.

"*Fourth.* That with Respect to all such Cases, concerning the aforesaid controverted Lands, as cannot be decided by the Rules exhibited in the foregoing Articles, or some or one of them, the Legislature of the State of *New-York*, will provide for the Determination of the same, according to the Rules of Justice and Equity arising out of such Cases respectively, without adhering to the strict Rules of Law.

"*Fifth.* That in all Cases where Grants or Confirmations, shall become necessary on Acceptance of the above Overtures, such Grants or Confirmations, shall issue to the Grantees, at and after the Rate of Five Pounds for a Grant or Confirmation of Three Hundred Acres or under, and for every additional Hundred Acres, the additional Sum of Sixteen Shillings, except in Cases, wherein Lands shall be granted or confirmed to divers Persons in one entire Tract, in which Case the Grants shall issue, respectively, for Fifteen Pounds each, which Allowances shall be in Lieu of all other Fees or Perquisites whatsoever.

"*Sixth.* That wherever, agreeable to the above Regulations, new Grants or Confirmations shall become necessary under this State, for Lands heretofore granted by *New-Hampshire* or *Massachusetts-Bay*, the same Quit-Rent only shall be reserved, which was reserved in the original Grants, under *New-Hampshire* or *Massachusetts-Bay*.

"*Seventh.* That where Lands heretofore granted by *New-Hampshire* or *Massachusetts-Bay*, have been since confirmed to such Grantees by new Grants under *New-York*, the Quit-Rents reserved on such Lands, shall be reduced to what they were in the original Grants, under *New-Hampshire* or *Massachusetts-Bay*.

"*Eighth.* That in order to encourage the Settlement of the aforesaid disputed Lands, in a peaceable Subjection to the Authority and Jurisdiction of this State, and also of all other Lands, held within and under this State, the following Commutation for the Quit-Rents, shall be allowed, *viz.* That on Payment, at the Rate of Two Shillings and Six-Pence Lawful Money of this State, into the Treasury of this State, for every Penny Sterling of Quit-Rent reserved; or on Delivery into the same, of Seventeen Times the Quantity of Grain, or other Commodity reserved for such Quit-Rent, the same shall thence forward be utterly discharged, and forever cease and be extinguished."

That these Overtures should be offered with a View, not only to induce the aforesaid discontented Inhabitants, of the Counties of *Albany*, *Charlotte*, *Cumberland* and *Gloucester*, to return to a lawful and rightful Obedience to the Authority and Jurisdiction of this State, but also in Favour of all others whom the same may concern, and to be of no Avail, to any Person or Persons whatsoever, who shall after the first Day of May next, yield or acknowledge, any Allegiance or Subjection to the pretended State of *Vermont*, the pretended Government thereof, or to any Power or Authority, pretended to be held or exercised thereunder.

And the said joint Committee have directed the several Committees of the Senate and Assembly, to report the following Resolutions to them respectively, as necessary in the Opinion of the said joint Committee, to be adopted in the Premises by the two Branches of the Legislature respectively, *viz.*

"*Resolved,* if the other Branch of the Legislature of this State, do concur herein, that the foregoing Overtures on the Condition above expressed, be and they hereby are tendered for Acceptance to all Persons, to whose Case the same, or any or either of them do

or



or shall apply upon the public Faith, and Assurance of the Legislature and Government of this State of *New-York*, which is hereby pledged to such Person and Persons for the Purpose.

"*Resolved*, this House will concur with the Honorable the Senate, in the necessary Measures for protecting the loyal Inhabitants of this State, residing in the Counties of *Albany, Charlotte, Cumberland and Gloucester*, in their Persons and Estates; and for compelling all Persons residing within this State, and refusing Obedience to the Government and Legislature thereof, to yield that Obedience and Allegiance, which by Law and of Right they owe to this State.

"*Resolved*, if the other Branch of the Legislature of this State, do concur herein, that his Excellency the Governor be, and he hereby is requested to issue his Proclamation, under the Privy Seal of this State, reciting this Report and the Resolutions of the several Branches of the Legislature thereon, and strictly charging and commanding all manner of Persons, in the Name of the People of the State of *New-York*, to take due Notice of the said Proclamation, and of every Article, Clause, Matter and Thing recited and contained therein, at their Peril, and to govern themselves accordingly.

"*Resolved*, That this House do agree with their said Committee, in the said Report.

"*Resolved*, That the said Report and every Thing therein contained, be and the same hereby is, and are declared to be the Act of this House."

A Message from the Honorable the Senate, by *Abraham Yates*, Esq; with the Report and Resolutions of that Honorable House, on the Report of their Committee, from the joint Committee of the Senate and Assembly, on the Papers mentioned in the Message of his Excellency the Governor, on the 6th Instant, relative to the Situation of some of the good Subjects of this State, in the Eastern District thereof, which were read. And it appearing that the Report and Resolutions of the Honorable the Senate, are of the same Tenor and Purport with the above Report, and Resolutions of this House.

Thereupon *Resolved*, That this House do agree with the Honorable the Senate, in their Report and Resolutions, on the Report of their Committee, from the joint Committee of the Senate and Assembly, on the Papers mentioned in the Message of his Excellency the Governor, on the 6th Instant, relative to the Situation of some of the good Subjects of this State, in the Eastern District thereof.

*Ordered*, That Mr. *Livingston* and Mr. *Harpur*, carry a Copy of the above Resolution to the Honorable the Senate.

*Ordered*, That Mr. *Benson* and Mr. *Graham*, wait upon his Excellency the Governor, with a Copy of the above Report and Resolutions of this House.

Mr. *L'Hommedieu* from the Committee appointed Yesterday, to confer with *Jonathan Lawrence* and *William Harper*, Esqrs; on the subject Matter of the Message from the Honorable the Senate, of the 19th Instant, relative to the Manufacture of Sulphur and Brimstone in this State, reported a Resolution, which being read, was agreed to by the House, in the Words following, viz.

"*Resolved*, That this House do concur with the Honorable the Senate, in the Resolution contained in their said Message.

A Message from the Honorable the Senate, by *William Floyd*, Esq; was read, and is in the Words following, viz:

"IN SENATE, Saturday February 21, 1778.

"*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolution, to pass a Law to indemnify *David Gelfon* and *Ezra L'Hommedieu*, Esqrs; for transporting Forty-Eight Barrels of Flour out of this State, for the Use of their Families, together with some other Refugees from *Long-Island*, who are now residing in *Connecticut*.

"*Ordered*, That Mr. *Floyd*, wait on the Honorable House of Assembly, and inform them of the said Concurrence.

Then the House adjourned until Monday next at three o'Clock in the Afternoon.

M O N D A Y, 3 o'Clock, P. M. February 23, 1778.

THE House met, pursuant to Adjournment, and adjourned until nine o'Clock To-Morrow-Morning.

T U E S D A Y, 9 o'Clock, A. M. February 24, 1778.

THE House met, pursuant to Adjournment, and adjourned until nine o'Clock To-Morrow-Morning.

W E D N E S D A Y, 9 o'Clock, A. M. February 25, 1778.

A Message from the Honorable the Senate, by *Levi Pawling*, Esq; was read and is in the Words following, viz.

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State



" State of New-York.

In Senate, February 23, 1778.

" Resolved, That it appears to this Senate, that the Application of Mr. Henry Schenk, in Behalf of Mr. Peter Colt, Deputy Commissary of Purchases for the Continental Army, for Licence to export Three Thousand Barrels of Flour, was refused by the late Convention of this State.

" Resolved, That the said Convention have put it in the Power of Mr. Schenk, to export the said Quantity of Flour, by a Resolution of the 7th of January last, wherein they declare, that the said Application shall be complied with, on his producing Evidence on Oath, that the Troops in the New-England States, are in present Need of Flour, or that the above mentioned Quantity is wanted for Continental Uses.

" Resolved, That the aforesaid Terms held up in the aforesaid Resolution of the Convention, were easy to be complied with, and have not been complied with.

" Resolved therefore, That this Senate cannot now concur with the Honorable House of Assembly, in passing a Law to indemnify the said Henry Schenk, for transporting One Thousand Barrels of Flour, out of this State, for the Use of the Troops in the Eastern States.

" Ordered, That Mr. Pawling, carry a Copy of the foregoing Resolutions, to the Honorable House of Assembly,

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

A Message from the Honorable the Senate, by Alexander Webster, Esq; was read and is in the Words following, viz.

" State of New-York.

In Senate, February 24, 1778.

" Resolved, if the Honorable House of Assembly do concur herein, that in Case his Excellency the Governor, shall authorize the Impress of such a Number of Drivers, Sleds, Waggon, Carts, Horses and Cattle as he shall think necessary, for transporting towards the Army, under the Command of his Excellency General Washington, a present Supply of Provisions, this Senate with the Concurrence of the Honorable House of Assembly, will pass a Law that may be hereafter necessary to justify such Impress.

" Ordered, That Mr. Webster, carry a Copy of the said Resolution to the Honorable House of Assembly; and desire their Concurrence.

*A true Copy of from the Minutes,*

ROBERT BENSON, Clerk."

The same being taken into Consideration.

Resolved, Nem. Con. That this House do concur with the Honorable the Senate, in their said Resolution.

Ordered, That Mr. Brashear and Mr. Boerum, carry a Copy of the above Resolution, to the Honorable the Senate.

Resolved, If the Honorable the Senate shall concur herein, That the Treasurer of this State, pay to James Clay, or his Order, the Sum of One Hundred and Twenty Pounds, to reimburse him the Monies expended by him in attending on the Legislature at different Times, on the Business of quieting the Disorders prevailing in the North Eastern Parts of the County of Albany, and certain Parts of the Counties of Charlotte, Cumberland and Gloucester.

Ordered, That Mr. Clarke and Mr. Rowan, carry a Copy of the above Resolution to the Honorable the Senate, and desire their Concurrence.

A Letter from Peter T. Curtenius, Esq; relative to the Cash in his Hands as a Commissary to purchase Clothing, was read, whereby it appears that there is a Balance of Two Thousand Six Hundred and Twenty Pounds Six Shillings and Six Pence, in his Hands as Commissary; and the further Sum of Six Hundred and Twenty-Eight Pounds Three Shillings and Eleven Pence Half-Penny, a Balance of One Thousand Five Hundred Pounds advanced to him in June, One Thousand Seven Hundred and Seventy-Six for supplying the Poor removed out of the Alms-House at New-York.

Mr. Van Houten then made a Motion in the Words following, viz.

" I move, the Sense of this House be taken, whether the Taxes to be raised shall be in one Bill for that Purpose."

Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Boerum,	Mr. Snyder,	Mr. Vrooman,	Mr. Coe,	Mr. Whiting,	Mr. Brinckerhoff,
Mr. Rea,	Mr. Honeywell,	Mr. Klock,	Mr. Williams,	Mr. E. Clarke,	Mr. Crane,
Mr. Hardenbergh,	Mr. Cantine,	Mr. Gelston,	Mr. Wickes,	Mr. Dunscomb,	Mr. Harpur,
M. Van Houten,	Mr. Rowan,	Mr. Graham,	M. Lawrence,	Mr. Mills,	Mr. Cuyper,

For the Negative.

Mr. R. Van Rensselaer,	Mr. Benson,	Mr. Van Horne,	Mr. Swartwout,	Mr. Hoffman,	Mr. Bancker,
Mr. L'Hommiedieu,	Mr. Livingston,	Mr. Jay,	Mr. K. Van Rensselaer,	Mr. Hathorn,	

Mr.



Mr. *L'Hommedieu* then made a Motion in the Words following, viz.

"I move that the House resolve itself into a Committee of the whole House on the Bill, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State*," Debates arose thereon, and the Question being put, it was carried in the Affirmative.

The House accordingly resolved itself into a Committee of the whole House on the said Bill; and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Swartwout*, from the said Committee, reported, that the Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again; which Report he read in his Place, and delivered the same in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

A Message from the Honorable the Senate, by *Lewis Morris*, Esq; was read, and is in the Words following, viz.

"Ordered, That Mr. *Morris*, carry a Copy of the Amendments proposed by the Senate to be made in the Bill, entitled, "*An Act further to organize the Government of this State*," (together, with the said Bill) to the Honorable House of Assembly, and desire their Concurrence thereto."

The said proposed Amendments to the said Bill were then also read.

A Message from the Honorable the Senate, by *William Floyd*, Esq; was read, and is in the Words following, viz.

"State of *New-York*."

In Senate, February 25, 1778.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of the 21st Instant, requesting *David Currie*, Esq; Commissary for supplying the Troops of this State with such Articles as are not allowed them by the Commissary General, to provide for the Use of the said Troops, four Hogsheads of good proof Rum, two Hogsheads of Muscovado Sugar, and fifty Weight of Pepper; and that he supply the said Troops with the same on Credit, in the Manner heretofore observed, at the same Prices at which the same are supplied by the State of *Connecticut*, to the Continental Troops raised under the Direction of that State, and for providing for the Expence thereof.

"Ordered, That Mr. *Floyd*, carry a Copy of the said Resolution to the Honorable House of Assembly.

A true Copy from the Minutes.

ROBERT BENSON, Clerk."

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. February 26, 1778.

THE House were informed that Colonel *Hughes*, is now ready to pay the Cash lately lent to him by this State, if the Legislature require it; but that it will be highly advantageous to the public Service, if he may be permitted to retain the same for a longer Time.

Thereupon,

Resolved, If the Honorable the Senate shall concur herein, That Colonel *Hugh Hughes*, Deputy Quarter-Master General, be permitted to retain the said Money for the public Service, for a longer Time, not exceeding one Month.

Ordered, That Mr. *Brasfer* and Mr. *Van Horne*, carry a Copy of the above Resolution to the Honorable the Senate, for Concurrence.

A Message from the Honorable the Senate, by *Jesse Woodbull*, Esq; was read, and is in the Words following, viz.

"State of *New-York*."

In Senate, February 26, 1778.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of this Day, for permitting Colonel *Hugh Hughes*, Deputy Quarter-Master General, to retain the Monies lately lent him by this State for the public Service, for a longer Time, not exceeding one Month."

A Message from the Honorable the Senate, by *Zephaniab Platt*, Esq; was read, and is in the Words following, viz.

"State of *New-York*."

In Senate, February 26, 1778.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of Yesterday, directing the Treasurer of this State, to pay to *James Clay*, or his Order, the Sum of One Hundred and Twenty Pounds, for the Purposes in the said Resolution mentioned."

On Motion, the House resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising Monies, to be applied towards the public Exigencies of this State*," after some Time spent therein, Mr. Speaker resumed the Chair and Mr. *Swartwout* from



from the said Committee reported, that on reading that Part of the second enacting Clause, intended to lay a specific Tax, on neat Cattle, Horses and Slaves.

A Motion was made, that all neat Cattle, Horses and Slaves, be assessed at a specific Sum to be mentioned in the Act. That Debates arose, and the Question being put, it was carried in the Negative, in the Manner following, *viz.*

For the Negative.

Mr. Vrooman,	Mr. Brinckerhoff,	Mr. Klock,	Mr. Williams,	Mr. K. Van Rensselaer,	Mr. L'Houmedieu,
Mr. Rea,	Mr. Livingston,	Mr. Cuyper,	Mr. Van Houten,	Mr. Brasher,	Mr. Mills,
Mr. Cantine,	Mr. Snyder,	Mr. Wickes,	Mr. E. Clarke,	Mr. Boerum,	Mr. Gelston,
Mr. Hathorn,	Mr. Rowan,	Mr. Hardenbergh,	Mr. Coe,	Mr. Hoffman,	Mr. Harpur,

For the Affirmative.

Mr. Speaker,	Mr. Whiting,	Mr. Benfen,	Mr. Bancker,	Mr. R. Van Rensselaer,	Mr. Graham,
Mr. Jay,	Mr. Duncomb,	Mr. Van Horne,	Mr. Crane,	Mr. Lawrence,	Mr. Honeywell,

That the said Committee had made some further Progress in the said Bill, and directed him to move for Leave to sit again, which Report he read in his Place and delivered in at the Table, where the same was again read.

*Ordered,* That the said Committee have Leave to sit again.

A Message from the Honorable the Senate, by *Dirck W. Ten Broeck, Esq;* was read and is in the Words following, *viz.*

" State of *New-York.*

*In Senate, February 26, 1778.*

" *Whereas* it appears by a Letter of from Doctor *John Jones*, one of the Members of this Senate, to his Excellency the Governor, that the precarious State of his Health and the continual Calls in his Profession, have unavoidably prevented his taking his Seat in this Senate, and that it is more than probable that the same Reasons will continue, to prevent him from giving his Attendance for the Future, and that he therefore repeats his Wishes, that some Person whose Situation and Circumstances better qualify him for an Attendance on public Business, might supply his Appointment in Senate.

*Resolved,* That the Seat of *John Jones, Esq;* in this Senate, be, and the same is hereby declared vacant.

" *Ordered,* That Mr. *Ten Broeck*, wait on the Honorable House of Assembly, with a Copy of this Resolution, and request them to fill up the said vacant Seat in Senate.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

A Message from the Honorable the Senate, by *Arthur Parks, Esq;* was read, whereby it appears, that the Senate have resolved (if this House concur therein) that *Catharine Clopper*, be permitted to take to the City of *New-York*, certain Articles of Bedding and Clothing, and no other Movables or Effects whatsoever, provided that the Packages of the said Bedding and Clothing, be first inspected by the District Committee of *Claverack*, or the Committee of *Albany*.

A Message from the Honorable the Senate, by *Rynier Mynderse, Esq;* was read, and follows, *viz.*

" State of *New-York.*

*In Senate, February 26, 1778.*

" *Whereas* it has been suggested on the Part of General *Parsons*, the Commanding Continental Officer, having the Superintendence of the Works for obstructing and securing *Hudson's-River*, and the Passes of the Highlands, that a sufficient Number of Carriages cannot be obtained for Transportation of Fodder, and Materials necessary to be used at said Works, without Impress.

" *Resolved therefore,* If the Honorable House of Assembly concur herein, That in Case his Excellency the Governor shall think proper, to authorize, or cause to be made, an Impress of Carts, Waggon, Sleds, Horses, Cattle and Drivers, for the Purpose aforesaid, this Senate will concur with the Honorable House of Assembly in passing such Law, as may hereafter be necessary to justify such Impress.

" *Ordered,* That Mr. *Mynderse*, wait on the Honorable House of Assembly, with a Copy of the foregoing Resolution, and request their Concurrence therein.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

Thereupon, *Resolved,* That this House do concur with the Honorable the Senate in their Resolution, to pass such Law, as may hereafter be necessary to justify his Excellency the Governor, for authorizing or causing to be made, an Impress of Carts, Waggon, Sleds, Horses, Cattle and Drivers, for the Transportation of Fodder and Materials, necessary to be used at the Works for obstructing and securing *Hudson's-River*, and the Passes of the Highlands.

*Ordered,* That Mr. *Duncomb* and Mr. *Hardenbergh*, carry a Copy of the above Resolution to the Honorable the Senate.

Then the House adjourned until nine o'Clock To-Morrow Morning.

FRIDAY,



FRIDAY, 9 o'Clock, A. M. February 27, 1778.

**R**ESOLVED, If the Honorable the Senate shall concur herein, That *Peter T. Curtenius*, Esq; Commissary to purchase Clothing for this State, be requested to purchase Clothing for the Troops in the Service of the United States, raised under the Direction of this State; and for that Purpose, that the Treasurer of this State pay out of the Treasury to the said *Peter T. Curtenius*, the Sum of Seven Thousand Three Hundred and Seventy-Nine Pounds Thirteen Shillings and Six Pence, which Sum together with the Balance now in his Hands, and due to this State, he is hereby authorized to expend for the Purpose aforesaid, in the best Manner he may be able,—And that he be allowed, exclusive of his Expences, a Commission of three per Cent. on all Monies to be paid out by him in the Business aforesaid.

*Ordered*, That Mr. Jay and Mr. Honeywell, carry a Copy of the above Resolution to the Honorable the Senate, and desire their Concurrence.

A Message from the Honorable the Senate, by *Lewis Morris*, Esq; that the Senate have sent by him to this House, sundry engrossed Amendments, proposed to be made in the Bill, entitled, "*An Act to increase the Number of Assessors throughout this State*," together with the said Bill and desire the Concurrence of this House, to the said proposed Amendments.

The House then proceeded to the Consideration of the said proposed Amendments to the said Bill, and the same being severally read and approved of, were ordered to be inserted in the said Bill, and it appearing to the House, that the said Amendments cannot be inserted in the said Bill, without defacing the same.

*Ordered*, That the said Bill be re-engrossed.

The House then proceeded to the Consideration of the Amendments, proposed by the Honorable the Senate, to the Bill, entitled, "*An Act further to organize the Government of this State*," the same being severally read and approved of, were ordered to be inserted in the said Bill.—And it appearing to the House, that the said Amendments cannot be inserted in the said Bill, without defacing the same.

*Ordered*, That the said Bill be re-engrossed.

The House then resolved itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State*," after some Time spent therein, Mr. Speaker resumed the Chair and Mr. Swartwout, from the said Committee reported, that the Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

A Message from the Honorable the Senate, by *Levi Pawling*, Esq; was read and is in the Words following, viz.

"State of New-York.

In Senate, February 27, 1778.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of this Day, requesting *Peter T. Curtenius*, Esq; to purchase Clothing for the Troops in the Service of the United States, raised under the Direction of this State; and for that Purpose directing the Treasurer of this State, to pay out of the Treasury to the said *Peter T. Curtenius*, the Sum of Seven Thousand Three Hundred and Seventy Nine Pounds, Thirteen Shillings and Six Pence, and authorizing him to expend the said Sum, together with the Balance now in his Hands and due to this State, for the Purpose aforesaid, in the best Manner he may be able and allowing him, exclusive of his Expences, a Commission of three per Cent, on all Monies to be paid out by him, in the Business aforesaid.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

A Message from the Honorable the Senate, by *Alexander Webster*, Esq; that, they have passed a Bill, entitled, "*An Act to enable his Excellency the Governor, to assist the Continental Commissary of Prisoners within this State, with Means to secure the Prisoners of War, under his Direction*," and desire the Concurrence of this House thereto, The said Bill was read the first Time and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. February 28, 1778.

**A** Motion was made by Mr. Benson, that the House resolve itself into a Committee of the whole House, on the Bill, entitled, "*An Act for raising Monies, to be applied towards the public Exigencies of this State*," Debates arose thereon, and the Question being put, it passed in the Affirmative by every Member present, except Mr. Williams, who voted in the Negative.

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The House then resolved itself into a Committee of the whole House, on the said Bill, and after some Time spent therein, Mr. Speaker resumed the Chair, and Mr. *Swartwout* from the said Committee reported, That in the said Committee, a Motion was made for an Amendment to the said Bill, in the Words following.

"That no Person serving the United States of America, in the five Continental Regiments, raised under the Direction of this State, either as an Officer or Soldier, shall be Assessed or Taxed for his Personal Estate, any Thing herein contained to the Contrary notwithstanding."

That Mr. *Whiting* moved for the following Amendment, to the last recited Paragraph, viz. "That the Words *five Continental Regiments, raised under the Direction of this State,*" be obliterated. That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

#### For the Negative.

Mr. Van Houten,	Mr. Vrooman,	Mr. Wickes	Mr. Rea,	Mr. Snyder,	Mr. Hoffman,
Mr. Klock,	Mr. Mills,	Mr. Livingston,	Mr. Crane,	Mr. Brinckerhoff,	Mr. Hardenbergh,
Mr. Boerum,	Mr. Hathorn,	Mr. Duncomb,	Mr. Cuyper,	Mr. Benson,	Mr. L'Hommedieu,
Mr. Bancker,	Mr. Cantine,	Mr. Speaker,	Mr. K. Van Rensselaer,	Mr. Jay,	

#### For the Affirmative.

Mr. Whiting,	Mr. Honeywell,	Mr. R. Van Rensselaer,	Mr. Brasher,	Mr. Lawrence,	Mr. Harpur,
Mr. Graham,	Mr. E. Clark,	Mr. Rowan,	Mr. Gelston,	Mr. Williams,	

That Mr. *Graham* then made a Motion, in the Words following, viz.

"I move, that the Assessors shall severally demand of the respective Inhabitants, a just Account of their real and personal Estate, which Account, as delivered by the said Inhabitants, each respective Assessor shall faithfully enter in his Assess Book. And if it should afterwards appear to the Assessor, that any Inhabitants have withheld from the Account so given in, any Part or Parts of his, her or their real, or personal Estate, that such Part or Parts, shall by the respective Assessor be rated threefold," That Debates arose thereon, and the Question being put, it was carried in the Negative, by every Member present, except Mr. *Van Houten*, who voted in the Affirmative.

That Mr. *E. Clark* moved for a Proviso to be added to the said Bill, in the Words following, viz.

"Provided that this Act shall not extend to the County of *Charlotte*." That Debates arose thereon, and the Question being put, it was carried in the Negative, by every Member present, except Mr. *E. Clark* and Mr. *Rowan*, who voted in the Affirmative.

That the said Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again,—Which Report he read in his Place, and delivered it in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until three o'Clock on Monday next.

MONDAY, 3 o'Clock, P. M. March 2, 1778.

THE House met pursuant to Adjournment, and adjourned until nine o'Clock Tomorrow Morning.

TUESDAY, 9 o'Clock, A. M. March 3, 1778.

THE House met pursuant to adjournment, and adjourned until nine o'Clock Tomorrow Morning.

WEDNESDAY,



WEDNESDAY, 9 o'Clock, A. M. March 4, 1778.

THE re-engrossed Bill, entitled, "*An Act further to organize the Government of this State,*" with the Amendments proposed thereto by the Honorable the Senate, and agreed to by this House, were read, and it appearing that the said Bill is truly re-engrossed, agreeable to such Amendments.

Ordered, That Mr. Benson and Mr. R. Van Rensselaer, carry the said Bill to the Honorable the Senate.

The re-engrossed Bill, entitled, "*An Act for increasing the Number of Assessors throughout this State,*" with the Amendments proposed thereto by the Honorable the Senate and agreed to by this House, was read, and it appearing that the said Bill is truly re-engrossed, agreeable to such Amendments.

Ordered, That Mr. Brinckerhoff and Mr. Cantine, carry the said Bill to the Honorable the Senate.

A Petition of Simon Calkin, for himself, and in Behalf of nineteen others, was read, and ordered to lie on the Table for the Perusal of the Members.

The Petition of James Reynolds, on Behalf of himself and other Persons of the County of Westchester, was read, and committed to the Committee appointed to report a Bill for regulating the Militia of this State.

A Message from the Honorable the Senate, by Isaac Roosevelt, Esq; was read, and is in the Words following, viz.

"State of New-York.

In Senate, March 2, 1778.

"The Senate being informed that the Hides, which the Convention of this State some Time ago put into the Hands of Messrs Matthew Cantine and John Anthony, at Marble-Town, to be tanned and dressed by them for the Use of this State, or some considerable Part of them, are prepared for working up into Shoes.

"Resolved, If the Honorable House of Assembly concur herein, That Colonel Peter T. Curtenius, the Commissary appointed to procure Clothing for the Troops raised under the Direction of this State, take the said Quantity of Leather into his Care, and cause the same to be made up into Shoes with all possible Dispatch, to be delivered by him or his Order, into the Clothing Store of this State; and that Mr. Curtenius be, and he is hereby authorized to give Exemptions from Militia Duty to such Shoemakers, their Journeymen and Apprentices, as he shall employ in making the said Shoes; to avail them respectively, no longer then during the Time they shall severally be in the said Employ.

"Ordered, That Mr. Roosevelt carry a Copy of the foregoing Resolution to the Honorable House of Assembly, and desire their Concurrence thereto.

A true Copy from the Minutes.

ROBERT BENSON, Clerk."

Resolved, That this House do concur with the Honorable the Senate in their Resolution, authorizing Colonel Peter T. Curtenius, to take the Leather therein mentioned into his Care, and cause the same to be made up into Shoes for the Purposes therein directed, and to give such Exemptions as are therein mentioned.

Ordered, That Mr. Duncomb and Mr. Van Horne, carry a Copy of the said Resolution to the Honorable the Senate.

The House then proceeded to the Consideration of the Message from the Honorable the Senate, of the 26th Ultimi, requesting this House to fill up the Seat of John Jones, Esq; declared vacant by that House. Whereupon,

Resolved, That this House will immediately proceed to fill up the said vacant Seat, in the Honorable the Senate.

Mr. Harpur then made a Motion in the Words following, viz.

"I move that this House proceed to choose such Senator, in the same Manner as hath been used in nominating and appointing the Council of Appointment and the Delegates for this State—Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the Manner following, viz.

#### For the Affirmative.

Mr. Whiting,	Mr. L'Homedieu,	Mr. Cantine,	Mr. Mills,	Mr. Lawrence,	Mr. Rowan,
Mr. Brasher,	Mr. Gelston,	Mr. Hardenbergh,	Mr. Crane,	Mr. Williams,	Mr. Graham,
Mr. Harpur,	Mr. Wickes,	Mr. Swartwout,	Mr. Cuyper,	Mr. Boerum,	Mr. Bancker,
Mr. Duncomb,	Mr. Snyder,	Mr. Drake,	Mr. Hathorn,	Mr. E. Clark,	Mr. Van Houten,
Mr. Vrooman,	Mr. Rea,				

#### For the Negative.

Mr. K. Van Rensselaer,	Mr. Brinckerhoff,	Mr. R. Van Rensselaer,	Mr. Benson,	Mr. Van Horne,
Mr. Jay,	Mr. Klock,	Mr. Livingston,	Mr. Hoffman,	

Resolved therefore, That this House will proceed to choose such Senator, in the same Manner as hath been used in the nominating and appointing a Council of Appointment and the Delegates of this State.

The



The Members of this House then proceeded to choose a Person to fill up such vacant Seat in Senate, and chose as follows, viz.

Richard Morris, Esq;

David Johnston, Esq;

Isaac Stoutenburgh, Esq;

Mr. R. Van Rensselaer, nominated

Mr. Jay,

Mr. Brinckerhoff,

Mr. Wickes,

Mr. Vrooman,

Mr. Gelston,

Mr. Swartwout,

Mr. Van Horne,

Mr. Graham,

Mr. Crane,

Mr. Bancker,

Mr. Whiting,

Mr. K. Van Rensselaer,

Mr. Klock,

Mr. Harpur,

Mr. Cantine,

Mr. L'Hommedieu,

Mr. Snyder,

Mr. Van Houten,

Mr. Drake,

Mr. Dunscomb,

Mr. Rea,

Mr. E. Clark,

Mr. Rowan,

Mr. Mills,

Mr. Cuyper,

Mr. Brather,

Mr. Boerum,

Mr. Hathorn,

Mr. Benson,

Mr. Hoffman,

Mr. Livingston,

Mr. Lawrence,

Mr. Williams,

Mr. Hardenbergh,

Mr. Gelston then moved for a Resolution in the Words following, viz.

"Resolved, That Isaac Stoutenburgh, Esq; is chosen by this House, to fill up the Seat of John Jones, Esq; in the Senate, declared vacant by that Honorable House."

Debates arose thereon, and the Question being put, it was carried in the Negative, in the Manner following, viz.

#### For the Affirmative.

Mr. Brinckerhoff,	Mr. Gelston,	Mr. Crane,	Mr. Snyder,	Mr. E. Clark,	Mr. Cuyper,
Mr. Wickes,	Mr. Swartwout,	Mr. Klock,	Mr. Van Houten,	Mr. Rowan,	Mr. Hardenbergh,
Mr. Vrooman,	Mr. Graham,	Mr. Cantine,	Mr. Rea,	Mr. Mills,	

#### For the Negative.

Mr. R. Van Rensselaer,	Mr. Whiting,	Mr. L'Hommedieu,	Mr. Brather,	Mr. Benson,	Mr. Lawrence,
Mr. Jay,	Mr. K. Van Rensselaer,	Mr. Drake,	Mr. Boerum,	Mr. Hoffman,	Mr. Williams,
Mr. Bancker,	Mr. Harpur,	Mr. Dunscomb,	Mr. Hathorn,	Mr. Livingston,	Mr. Van Horne,

Mr. Hathorn then moved for a Resolution in the Words following, viz.

"Resolved, That Richard Morris, Esq; is chosen by this House, to fill up the Seat of John Jones, Esq; in the Senate, declared vacant by that Honorable House."

Debates arose thereon, and the Question being put, it was carried in the Affirmative, in the Manner following, viz.

#### For the Affirmative.

Mr. K. Van Rensselaer,	Mr. Van Horne,	Mr. Hoffman,	Mr. R. Van Rensselaer,	Mr. Whiting,	Mr. Harpur,
Mr. L'Hommedieu,	Mr. Bancker,	Mr. Lawrence,	Mr. Williams,	Mr. Jay,	Mr. Brather,
Mr. Hathorn,	Mr. Benson,	Mr. Livingston,	Mr. Dunscomb,	Mr. Drake,	Mr. Boerum,

#### For the Negative.

Mr. Brinckerhoff,	Mr. Gelston,	Mr. Crane,	Mr. Snyder,	Mr. E. Clark,	Mr. Cuyper,
Mr. Wickes,	Mr. Swartwout,	Mr. Klock,	Mr. Van Houten,	Mr. Rowan,	Mr. Hardenbergh,
Mr. Vrooman,	Mr. Graham,	Mr. Cantine,	Mr. Rea,	Mr. Mills,	

Resolved therefore, That Richard Morris, Esq; is chosen by this House, to fill up the Seat of John Jones, Esq; in the Senate, declared vacant by that Honorable House.

Mr. Wickes made a Motion in the Words following, viz.



"I move, that the sense of this House be taken, whether the House have proceeded in the Business of filling up the vacant Seat in Senate, in the Manner, mentioned in their Resolution for that Purpose, when they entered thereon."

Mr. Brinckerhoff then moved for the previous Question. Whether the Question on Mr. Wickes's Motion shall be now put; Debates arose thereon, and the previous Question being accordingly put, it was carried in the Negative [that is to say, that the Question upon Mr. Wickes's Motion be not now put] in the Manner following, viz.

## For the Negative.

Mr. Brinckerhoff,	Mr. Snyder,	Mr. Harpur,	Mr. Boerum,	Mr. Lawrence,	Mr. R. Van Rensselaer,
Mr. Vroman,	Mr. Hoffman,	Mr. L'Homedieu,	Mr. Hathorn,	Mr. Williams,	Mr. Jay,
Mr. Swartwout,	Mr. Van Houten,	Mr. Drake,	Mr. Benson,	Mr. Van Horne,	Mr. Bancker,
Mr. Klock,	Mr. E. Clark,	Mr. Duncomb,	Mr. Livingston,	Mr. Hardenbergh,	Mr. Whiting,
Mr. Cantine,	Mr. K. Van Rensselaer,	Mr. Brasler,			

## For the Affirmative.

Mr. Wickes,	Mr. Mills,	Mr. Rowan,	Mr. Graham,
Mr. Gelston,	Mr. Cuyper,	Mr. Rea,	Mr. Crane,

Ordered, That Mr. L'Homedieu and Mr. Mills carry to the Honorable the Senate, a Copy of the Resolution of this House, that Richard Morris, Esq; is chosen to fill the said vacant Seat, in Senate.

A Letter from the Honorable the Board of War, of the State of Massachusetts-Bay, dated the 5th Day of February last, signed by Samuel Phips Savage, President, was read.— They therein mention, that they are in Want of Flour, and have contracted with William Smith, of Fish-Kill, for one Thousand Barrels of Flour, and request that Mr. Smith may have Licence to export the same.

Resolved, if the Honorable the Senate shall concur herein, that this House will pass a Law, (should the same be necessary) to indemnify William Smith, of Dutchess County, for Transporting one Thousand Barrels of Flour out of this State, at the request and for the Use of the Honorable the Board of War, of the State of Massachusetts-Bay.

Ordered, That Mr. Swartwout and Mr. Jay, carry a Copy of the above Resolution, to the Honorable the Senate, for Concurrence.

Resolved, If the Honorable the Senate shall concur herein, that the Treasurer of this State, pay to the Honorable Philip Livingston, Esq; the Sum of Five Hundred Dollars, on account of his Wages due or to become due, as a Delegate from this State, in the Congress of the United States of America.

Ordered, That Mr. Snyder and Mr. Vroman, carry a Copy of the above Resolution to the Honorable the Senate and desire their Concurrence.

A Message from the Honorable the Senate, by Zephaniah Platt, Esq; was read, and is in the Words following, viz.

"State of New-York.

In Senate, March 4, 1778.

"Ordered, That Mr. Platt carry the Bill, entitled, "An Act requiring all Persons holding Offices or Places, under the Government of this State, to take the Oaths therein prescribed and directed," as amended on the 13th of February last, to the Honorable House of Assembly, and inform them that the said Amendments, as agreed to by that Honorable House are made therein.

A true Copy of from the Minutes,

ROBERT BENSON, Clerk."

The said Bill being read and examined, and it appearing that the Amendments agreed to by this House, are therein made.

Ordered, That Mr. Gelston and Mr. Wickes, carry back to the Honorable the Senate, the Bill, entitled, "An Act requiring all Persons holding Offices or Places, under the Government of this State, to take the Oaths therein prescribed and directed.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. March 5, 1778.

RESOLVED, If the Honorable the Senate shall concur herein, that the Treasurer of this State, pay to John Holt, Printer, the Sum of One Hundred Pounds, on Account and take his Receipt for the same.

Ordered, That Mr. Harpur and Mr. Crane, carry a Copy of the above Resolution to the Honorable the Senate, for their Concurrence.

A Message from the Honorable the Senate, by Lewis Morris, Esq; was read, and is in the Words following, viz.

"State of New-York.

In Senate, March 5, 1778.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of Yesterday, directing the Treasurer to pay to the Honorable Philip Livingston,



vingston, Esq; the Sum of Five Hundred Dollars, on Account of his Wages due or to become due, as a Delegate from this State, in the Congress of the United States of America.

"Ordered, That Mr. Morris, carry a Copy of the foregoing Resolution to the Honorable House of Assembly.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

A Message from the Honorable the Senate, by Henry Wisner, Esq; was read, and is in the Words following, viz.

"State of New-York.

*In Senate, March 5, 1778.*

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of Yesterday, to pass a Law if the same be necessary, to indemnify William Smith, of Dutchess County, for transporting one Thousand Barrels of Flour, out of this State, for the Uses in the said Resolution mentioned.

"Ordered, That Mr. Wisner, carry a Copy of the foregoing Resolution to the Honorable House of Assembly,

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

A Message was received from the Honorable the Senate, by Arthur Parks, Esq; that the Senate have passed the two following Bills, viz. The Bill entitled, "An Act for increasing the Number of Assessors throughout this State," and also the Bill entitled, "An Act further to organize the Government of this State."

Ordered, That Mr. Hoffman and Mr. R. Van Rensselaer, carry the Bill, entitled, "An Act for increasing the Number of Assessors throughout this State," to the Honorable the Council of Revision.

Ordered, That Mr. Benson and Mr. Hathorn, carry the Bill, entitled, "An Act further to organize the Government of this State," to the Honorable the Council of Revision.

A Message from the Honorable the Senate, by Jonathan Lawrence, Esq; that the Senate have passed a Bill, entitled, "An Act to authorize the several County Committees within this State, to procure a Supply of Shoes and Stockings, for the Troops raised under the Direction of this State," and desire the Concurrence of this House thereto.

The said Bill was read the first Time and ordered a second Reading.

Resolved, If the Honorable the Senate shall concur herein, that this House will, if the same should become necessary, pass a Law to indemnify David Currie, Commissary for supplying the Continental Troops, raised under the Direction of this State, with such Articles as are not allowed them by the Commissary General, for impressing or causing to be made an Impress of Carts, Waggon, Sleds, Horses, Cattle and Drivers at any Time or Times, and Places within this State, for the Purpose of transporting such Necessaries to the said Troops.

Ordered, That Mr. Cuyper and Mr. Rowan, carry a Copy of the above Resolution to the Honorable the Senate, for their Concurrence.

Mr. Swartwout, from the Committee of the whole House, to whom was referred the Bill, entitled, "An Act for raising Monies to be applied towards the public Exigencies of this State," reported, that the Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again, which Report he read in his Place and delivered in at the Table, where the same was again read.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until nine oClock To-Morrow Morning.

FRIDAY 9 o'Clock, A. M. March 6, 1778.

A Message from the Honorable the Senate, by Alexander Webster, Esq; was read, and is in the Words following, viz.

"State of New-York.

*In Senate, March 4, 1778.*

"A Petition signed by John Younglove, Chairman of the Committee at Cambridge, in the County of Albany, was read; setting forth that in Consequence of the Ravages of the Enemy, in the Course of the last Campaign, the Inhabitants of the Township of Cambridge and its Vicinity, have lost their Crops of Grain, and been deprived of sowing their Lands the last Season; by Reason whereof many Families are already reduced to great Want, and praying a speedy Relief by the Legislature. And it also appearing that the Inhabitants in certain Parts of Charlotte County, in the Vicinity of Cambridge, are in like Manner distressed.

"Resolved, If the Honorable House of Assembly concur herein, that the Distresses of the said Inhabitants be relieved by a Sale of two Thousand Bushels of Wheat, Rye and Indian Corn, to the said Inhabitants, to be made by the Commissioners of Sequestration, out of the sequestered Grain in their Hands.

"Resolved,



"*Resolved*, If the Honorable House of Assembly concur herein, that the Senate will with their Concurrence at some future Day, pass a Law, [if the same shall be necessary] to indemnify *John Younglove* and *George Palmer*, Esqrs; Commissioners of Sequestration, in the County of *Albany*, and *John Nesbitt* and *James Mc. Nish*, Esqrs; Commissioners of Sequestration in the County of *Charlotte*, in selling to such of the Inhabitants of the Township of *Cambridge* and its Vicinity, and to such of the Inhabitants of those Parts of *Charlotte* County, in the Vicinity of *Cambridge*, as are in immediate Want of Bread Corn, a Quantity of the sequestered Wheat, Rye and Indian Corn, now in their Possession, not exceeding in the Whole, two Thousand Bushels, to be paid for by the said Inhabitants, at the following Rates, as regulated by the Commissioners of the several States, met at *New-Haven*, on the 15th of January last, viz. For Wheat, Thirteen Shillings Lawful Money of this State, equal to Nine Shillings and Nine Pence, Lawful Money of the *New-England* States, per Bushel. For Rye, Eight Shillings and Eight Pence, equal to Six Shillings and Six Pence, Lawful Money of the said *New-England* States, per Bushel; and for Indian Corn, Six Shillings, equal to Four Shillings and Six Pence, Lawful Money of the said *New-England* States.

"*Ordered*, That Mr. *Webster*, carry a Copy of the said Resolutions, (together with the said Petition of the Committee of *Cambridge*) to the Honorable House of Assembly, for Concurrence.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

The same being taken into Consideration.

*Resolved*, That this House do concur with the Honorable the Senate, in their Resolution of the 4th Instant, to pass a Law, (if the same shall be necessary) to indemnify the four Commissioners of Sequestration therein named, for selling to such Inhabitants as are therein mentioned, a Quantity of Grain, not exceeding two Thousand Bushels, at the Prices in the said Resolution of Senate specified.

*Ordered*, That Mr. *Cuyper* and Mr. *Rowan*, carry a Copy of the above Resolution of Concurrence, to the Honorable the Senate.

A Copy of a Message from the Honorable the Council of Revision, to the Honorable the Senate, was read, and is in the Words following, viz.

"*In Council for revising all Bills about to be passed into Laws by the Legislature of the State of New-York, on Thursday the 5th Day of March 1778.*

"*Resolved*, That it does not appear improper to this Council, that the Bill, entitled, "*An Act requiring all Persons holding Offices or Places, under the Government of this State, to take the Oaths therein prescribed and directed*," as it now stands, should become a Law of this State.

"*Ordered*, That a Copy of the above Resolution, signed by his Excellency the Governor, be delivered to the Honorable the Senate, by Mr. Justice *Yates*.

GEO. CLINTON."

A Petition of *Ebenezer Slason*, and a Certificate of *Simon Silleck*, accompanying the same, were read, and ordered to lie on the Table.

The Bill entitled, "*An Act to enable his Excellency the Governor to assist the Continental Commissary of Prisoners within this State, with Means to secure the Prisoners of War under his Direction*," was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to authorize the several County Committees within this State, to procure a Supply of Shoes and Stockings, for the Troops raised under the Direction of this State*," was read the second Time, and committed to a Committee of the whole House.

A Message from the Honorable the Senate, by *Abraham Yates*, Esq; that the Senate have passed a Bill, entitled, "*An Act to discharge, pardon and remit all Offences, Prosecutions, Convictions, Penalties and Forfeitures, by Virtue of an Act, entitled, An Act for preventing tumultuous and riotous Assemblies in the Places therein mentioned, and for the more speedy and effectual punishing the Rioters*," and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

A Message from the Honorable the Senate, by *Alexander Webster*, Esq; was read, and is in the Words following, viz.

"State of *New-York*.

*In Senate, March 6, 1778.*

"*Resolved*, If the Honorable House of Assembly concur herein, That Mr. President and Mr. Speaker, join in a Letter to the Honorable Major General *Schuyler*, requesting the Re-payment of the Money lent him by the Convention of this State, and that they also write circular Letters to the Commissioners of Sequestration, inclosing Copies of the Resolution of the late Convention of the 8th Day of January last, and requiring the immediate Compliance of the Commissioners therewith.

"*Resolved*, If the Honorable House of Assembly concur herein, That the Commissioners for distributing Salt within this State, do without Delay, account with the Auditor General



General of this State, for all such Sum and Sums of Money, as shall have come into their Hands in the Execution of their Office, and that immediately on such Audit, they deposit the Balance in their respective Hands, into the Treasury of this State, and that Mr. President and Mr. Speaker, join in circular Letters to the Commissioners, enclosing Copies of this Resolution, and of the Concurrence of the Honorable House of Assembly, and requiring their immediate Compliance therewith.

"Ordered, That Mr. Webster, carry a Copy of the foregoing Resolution, to the Honorable House of Assembly for Concurrence.

*A true Copy from the Minutes.*

ROBERT BENSON, Clerk."

Mr. Benson then made a Motion in the Words following, viz.

"I move, that that Part of the first of the above Resolutions of the Honorable the Senate, which is from and after the Word "Sequestration," to the End thereof, be obliterated; and that the following Words be there inserted, viz. "requesting them without Delay, to pay into the Treasury of this State, all such Monies as shall have come to their Hands respectively, in the Execution of their Office."

Debates arose thereon, and the Question being put, it was carried in the Negative, in the Manner following, viz.

For the Negative.

Mr. Schoonmaker,	Mr. Whiting,	Mr. Van Houten,	Mr. Brasher,	Mr. Cuyper,	Mr. Van Horne,
Mr. Brinckerhoff,	Mr. E. Clark,	Mr. Rowan,	Mr. Harpur,	Mr. Lawrence,	Mr. Graham,
Mr. L'Hommedieu,	Mr. Hathorn,	Mr. Cantine,	Mr. Duncomb,	Mr. Cuyler,	Mr. Swartwout,
Mr. Drake,	Mr. Wickes,	Mr. Snyder,	Mr. Mills,	Mr. Bancker,	Mr. Lott,
Mr. Gelston,	Mr. Hardenbergh,	Mr. Crane,	Mr. Rea,	Mr. Vroman,	

For the Affirmative.

Mr. Benson,	Mr. K. Van Rensselaer,	Mr. Livingston,	Mr. Boerum,
Mr. Hoffman,	Mr. Jay,	Mr. Williams,	Mr. R. Van Rensselaer,

Resolved, That this House concur with the Honorable the Senate, in their Resolutions of this Day, that Mr. President and Mr. Speaker, join in Letters to the Honorable Major General Schuyler, to the Commissioners of Sequestration, and to the Commissioners for distributing Salt, for the Purposes in the said Resolution mentioned.

Ordered, That Mr. Schoonmaker and Mr. Cuyler, carry a Copy of this Resolution of Concurrence, to the Honorable the Senate.

A Message from the Honorable the Senate, by Dirck W. Ten Broeck, Esq; with Copies of the two following Resolutions of this Day, viz.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of Yesterday, directing the Treasurer to pay John Holt, Printer, the Sum of One Hundred Pounds on Account.

"Resolved, That this Senate do not concur with the Honorable House of Assembly, on their Resolution of Yesterday, for passing a Law to indemnify David Currie, in impressing, or causing to be made an Impress of Carts, Waggon, Sleds, Horses, Cattle and Drivers, for the Purposes in the said Resolution mentioned."

Mr. Swartwout, from the Committee of the whole House, to whom was referred the Bill, entitled, "An Act for raising Monies to be applied towards the public Exigencies of this State," reported, that in proceeding in the said Bill, a Part of the second enacting Clause was read, in the Words following, viz.

"And be it further enacted by the Authority aforesaid, That a Tax of in the Pound, shall be raised on the Amount of all improved Lands, (including Wood Lands kept for the Purposes of Fuel and Timber, and deemed Parts or Parcels of an improved Farm) not subject to a Right of Commonage of any Kind whatsoever. That a Tax of in the Pound, be raised on the Amount of all personal Estate, to be assessed in the Manner following."

That a Motion was then made, that the Rate of Poundage on real and personal Estates should be different.—That Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Wickes,	Mr. Livingston,	Mr. R. Van Rensselaer,	Mr. L'Hommedieu,	Mr. Hathorn,	Mr. Benson,
Mr. Jay,	Mr. Hoffman,	Mr. Whiting,	Mr. Gelston,	Mr. Drake,	Mr. E. Clark,
Mr. Cantine,	Mr. Snyder,	Mr. Williams,	Mr. Crane,	Mr. Duncomb,	Mr. Hardenbergh,

For the Negative.

Mr. Bancker,	Mr. Graham,	Mr. Rea,	Mr. Cuyler,	Mr. Cuyper,	Mr. K. Van Rensselaer,
Mr. Rowan,	Mr. Van Horne,	Mr. Van Houten,	Mr. Speaker,	Mr. Brinckerhoff,	Mr. Brasher,
Mr. Harpur,	Mr. Vroman,	Mr. Lawrence,	Mr. Boerum,	Mr. Mills,	

That Mr. Benson then made a Motion in the Words following, viz.



"I move, that in the first Blank in the said first Paragraph of the second enacting Clause, where the Poundage on real Estate is to be ascertained, the Words *Three Pence* be inserted."—That Debates arose thereon, and the Question being put, it was carried in the Affirmative.

That Mr. *Brasher* then moved, that in the second Blank in the said Paragraph, where the Poundage on personal Estate is to be ascertained, the Words *Three Pence* be inserted.—That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

## For the Negative.

Mr. L'Hommédieu,	Mr. Williams,	Mr. Hathorn,	Mr. Hardenbergh,	Mr. Snyder,
Mr. Benson,	Mr. Whiting,	Mr. Wickes,	Mr. Van Houten,	Mr. Hoffman,
Mr. Drake,	Mr. E. Clark,	Mr. Jay,	Mr. Rowan,	Mr. Crane,
Mr. Gelston,	Mr. R. Van Rensselaer,	Mr. Livingston,	Mr. Cantine,	

## For the Affirmative.

Mr. Brasher,	Mr. Mills,	Mr. Brinckerhoff,	Mr. Bancker,
Mr. Harpur,	Mr. Rea,	Mr. Speaker,	Mr. Vroman,
Mr. Duncomb,	Mr. Cuyper,	Mr. K. Van Rensselaer,	Mr. Van Horne,
Mr. Boerum,	Mr. Lawrence,	Mr. Cayler,	Mr. Graham,

That Mr. Speaker then made a Motion, in the Words following, viz.

I move, that the said second Blank in the said Paragraph, be filled up with the Words *Two-Pence Three Farthings*. That Debates arose thereon and the Question being put, it was carried in the Affirmative, in Manner following, viz.

## For the Affirmative.

Mr. Brasher,	Mr. Mills,	Mr. Speaker,	Mr. Vroman,	Mr. Whiting,	Mr. Van Houten,
Mr. Harpur,	Mr. Rea,	Mr. K. Van Rensselaer,	Mr. Van Horne,	Mr. Wickes,	Mr. Crane,
Mr. Duncomb,	Mr. Lawrence,	Mr. Cuyler,	Mr. Graham,	Mr. Jay,	Mr. Rowan,
Mr. Boerum,	Mr. Brinckerhoff,	Mr. Bancker,			

## For the Negative.

Mr. Cuyper,	Mr. Drake,	Mr. R. Van Rensselaer,	Mr. Livingston,	Mr. Snyder,
Mr. L'Hommédieu,	Mr. Gelston,	Mr. E. Clark,	Mr. Hardenbergh,	Mr. Hoffman,
Mr. Benson,	Mr. Williams,	Mr. Hathorn,	Mr. Cantine,	

That on reading that Paragraph of the said Bill, contained in the Words following, viz. "*Be it enacted by the Authority aforesaid, That a Tax of* in the Pound, be raised on the Amount of all appropriated unimproved Lands, (except Wood Lands kept for the Purposes of Fuel and Timber, and deemed Parts and Parcels of improved Farms) not subject to a Right of Commonage of any Kind whatsoever, be assessed in Manner hereafter directed."

Mr. *Drake*, made a Motion in the Words following, viz.

"I move that in the Blank in the said Paragraph, the Words *Three Pence* be inserted." That Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

## For the Affirmative.

Mr. Duncomb,	Mr. Lott,	Mr. Cantine,	Mr. Boerum,	Mr. Rea,	Mr. Lawrence,
Mr. Van Horne,	Mr. Brinckerhoff,	Mr. Harpur,	Mr. Gelston,	Mr. Crane,	Mr. Williams,
Mr. Rowan,	Mr. Wickes,	Mr. Cuyper,	Mr. Mills,	Mr. Graham,	Mr. Whiting,
Mr. Brasher,	Mr. Van Houten,	Mr. Drake,			

## For the Negative.

Mr. Jay,	Mr. L'Hommédieu,	Mr. Benson,	Mr. Schoonmaker,	Mr. E. Clark,
Mr. Cuyler,	Mr. Livingston,	Mr. Speaker,	Mr. Bancker,	Mr. Snyder,
Mr. Hoffman,	Mr. R. Van Rensselaer,	Mr. Vroman,	Mr. Hathorn,	Mr. K. Van Rensselaer,

That on reading that Part of the said Bill, which is contained in the Words following, viz.

"Which Commissioners severally shall be allowed, the Sum of per Day, for their Services and Expences, for every Day they shall be actually employed in the Business of Assessing as prescribed by this Act."

Mr. *Benson*, made a Motion in the Words following, viz.

"I move, that the Blank in the Paragraph last read, be filled up with the Words *Twenty Shillings*. That Debates arose thereon, and the Question being put, it was carried in the Affirmative, in Manner following, viz.

## For the Affirmative.

Mr. Duncomb,	Mr. Benson,	Mr. K. Van Rensselaer,	Mr. Graham,	Mr. Mills,	Mr. R. Van Rensselaer,
Mr. Speaker,	Mr. Lawrence,	Mr. Crane,	Mr. Rowan,	Mr. Vroman,	Mr. Lott,
Mr. Jay,	Mr. Brinckerhoff,	Mr. Cantine,	Mr. Whiting,	Mr. Harpur,	Mr. Van Houten,
Mr. Van Horne,	Mr. L'Hommédieu,	Mr. Drake,			

## For the Negative.

Mr. Cuyler,	Mr. Snyder,	Mr. Rea,	Mr. Livingston,	Mr. Boerum,
Mr. Hoffman,	Mr. Brasher,	Mr. E. Clark,	Mr. Bancker,	Mr. Cuyper,
Mr. Williams,	Mr. Wickes,	Mr. Hathorn,	Mr. Schoonmaker,	Mr. Gelston,



That the said Committee had made some further Progress in the said Bill, and had directed him to move for Leave to sit again, which Report he read in his Place, and delivered in at the Table, where the same was again read.

*Ordered*, That the said Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. March 7, 1778.

A Petition of *David Belknap*, was read and ordered to lie on the Table, for the Perusal of the Members.

Mr. *Swartwout*, from the Committee of the whole House, to whom was referred, the Bill, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State*," reported that after the said Bill had been read through, in the Committee. Mr. *Livingston*, made a Motion in the Words following, viz.

"I move, that a Clause be added to the said Bill, in the Words following, viz.

"And be it further enacted by the Authority aforesaid, That all the appropriated unimproved Lands, in each County of this State, shall be assessed by Virtue of this Act; and where any such Lands, in any County in this State, cannot at Present be assessed, nor if assessed, the Monies thereon levied. That as soon as such Lands can be assessed and the Tax collected, the same shall be assessed in like Manner as herein directed, as to unimproved appropriated Lands, and such Assessment with Interest thereon, at Six per Cent, computed from the Time of the first Tax levied on appropriated and unimproved Lands by Virtue of this Act, shall be levied on all such appropriated and unimproved Lands, as cannot at Present be assessed by Virtue of this Act."

That Debates arose thereon, and the Question being put, it was carried in the Negative, in Manner following, viz.

#### For the Negative.

Mr. Brasher,	Mr. Duncomb,	Mr. Brinckerhoff,	Mr. Whiting,	Mr. Crane,	Mr. L'Homedieu,
Mr. Boerum,	Mr. Lawrence,	Mr. Van Horne,	Mr. Wickes,	Mr. Drake,	Mr. Williams,
Mr. Lott,	Mr. Benson,	Mr. Gelston,	Mr. Mills,	Mr. Schoonmaker,	Mr. Rea,
Mr. Cuyper,	Mr. E. Clark,	Mr. Harpur,	Mr. Rowan,	Mr. Bancker,	Mr. Jay,
Mr. Van Houten,	Mr. Graham,				

#### For the Affirmative.

Mr. Speaker,	Mr. Hoffman,	Mr. Cantine,	Mr. Snyder,	Mr. Hardenbergh,	Mr. K. Van Rensselaer,
Mr. Livingston,	Mr. Hathorn,	Mr. Vroman,	Mr. Cuyler,	Mr. R. Van Rensselaer,	

That on reading that Clause of the Bill, which enacts that a Tax of *Three Pence in the Pound*, be raised on the Amount of all appropriated unimproved Land.

Mr. *Cantine* made a Motion, in the Words following, viz.

"I move, that the Words *Three Pence in the Pound*, be there obliterated, and the Words *not less than Six Pence, nor more than Eight Shillings on every Hundred Acres*, inserted in their Stead." That Debates arose thereon, and the Question being put, it was carried in the Negative by every Member present, except Mr. *Cantine*, Mr. *Hathorn*, Mr. *Rea*, Mr. *Hardenbergh*, Mr. *Snyder*, Mr. *Harpur*, Mr. *Whiting*, Mr. *Livingston*, Mr. *Speaker* and Mr. *Hoffman*, who voted in the Affirmative.

That on reading that Paragraph of the said Bill, which ascertains the Pay of Commissioners, at Twenty Shillings per Day.

Mr. *Williams*, made a Motion in the Words following, viz.

"I move, that immediately after the Words, as prescribed by this Act, the following Words be inserted. "And that the said Commissioners do complete their respective Assessments, on or before the first Day of October next, or shew sufficient Cause to the Legislature, why they have not completed their respective Assessments, within the Time limited as above." The Question being put thereon, it was carried in the Negative by every Member present, except Mr. *Williams*, Mr. *Harpur*, Mr. *Whiting*, and Mr. *Wickes*, who voted in the Affirmative.

That when the Committee had gone through the said Bill, and made several Amendments thereto, on the Question being put, Whether the said Bill and Amendments, should be reported to the House. Debates arose, and it was carried in the Affirmative by every Member present, except Mr. *Williams* and Mr. *Schoonmaker*, who voted in the Negative. Which the said Committee had directed him to report to the House; and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and upon the Question being put, Whether the House agreed with their Committee in the said Report,—Debates arose, and it was carried in the Affirmative by every Member present, except Mr. *Williams* and Mr. *Schoonmaker*, who voted in the Negative.

*Ordered*, That the said Bill and Amendments be engrossed.

*Resolved*,



*Resolved*, That this House will on Monday next, proceed to the Re-consideration of the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State.*" Then the House adjourned until Monday next at three o'Clock in the Afternoon.

MONDAY, 3 o'Clock, P. M. March 9, 1778.

A Remonstrance of the Committee of New-Paltz, signed by Johannes A. Hardenbergh, Esq; their Chairman, was read.

*Ordered*, That the same be committed to the Members of Ulster County.

Application was made by Mr. Benson, on Behalf of the Commissioners, for Superintending the Return of the Prisoners of this State, from the State of Connecticut, for a Sum of Money to be advanced to them, in Order to enable them to Discharge sundry Accounts, accrued in the Execution of the Business committed to them.

*Ordered*, That the said Application be referred to a Committee, and that Mr. Benson and Mr. Bancker, be a Committee for that Purpose.

Mr. Benson, moved for Leave to bring in a Bill, to revive a Resolution of the Convention of this State, exempting Persons from being Drafted in the Militia, who should procure others to enlist in the five Continental Battalions, raised under the Direction of this State, and for giving Relief, in Cases where two Persons have jointly procured a Man to enlist.

*Ordered*, That Leave be given accordingly.

The Order of the Day being read, the House proceeded to the Re-consideration of the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State.*" The said Bill, together with the Objections of the Council of Revision thereto, were read. After some Time spent in re-considering the said Bill, the Question was put, Whether, notwithstanding the said Objections, the House do agree to pass the said Bill. Debates arose, and it was carried in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Bancker,	Mr. Gelston,	Mr. Van Houten,	Mr. Cuyler,	Mr. Mills,	Mr. Cantine,
Mr. Crane,	Mr. Dunscomb,	Mr. E. Clark,	Mr. Williams,	Mr. Graham,	Mr. Vroman,
Mr. Snyder,	Mr. K. Van Rensselaer,	Mr. Wickes,	Mr. Lawrence,	Mr. Brasher,	Mr. Cuyper,
Mr. Schoonmaker,	Mr. Rea,	Mr. Lott,	Mr. Harpur,	Mr. Rowan,	Mr. Drake,
Mr. Whiting,	Mr. L'Hommiedieu,				

For the Negative.

Mr. Hoffman,	Mr. Jay,	Mr. Boerum,	Mr. Livingston,	Mr. Hathorn,
Mr. Beasley,	Mr. Swartwout,	Mr. R. Van Rensselaer,	Mr. Van Horne,	Mr. Brinckerhoff,

*Resolved*, That the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" shall notwithstanding the Objections of the Honorable Council of Revision to the same, be a Law of this State.

*Ordered*, That Mr. Schoonmaker and Mr. Gelston, carry the said Bill, with a Copy of the above Resolution to the Honorable the Senate, for their Re-consideration.

Then the House adjourned until nine o'Clock To-Morrow Morning.

TUESDAY, 9 o'Clock, A. M. March 10, 1778.

ORDERED, That the Committee appointed to bring in a Bill to prevent the Circulation of the Bills of Credit emitted by Authority of the Legislature of this State, while subject to the Crown of Great-Britain, do report on Thursday next.

*Resolved*, if the Honorable the Senate concur herein, That the Treasurer of this State, advance to David Currie, Esq; Commissary for supplying the Continental Regiments raised in this State, for the Service of the United States, with such Necessaries as they are not supplied with by the Continental Commissary, the Sum of One Thousand Pounds, to enable him to make Purchases of such Articles in the State of Pennsylvania or Jersey, as will afford a present Supply thereof, to such of the said Regiments as are now at Headquarters.

*Resolved*, if the Honorable the Senate shall concur herein, That the said David Currie be authorized and required, to lay out the Monies he shall from Time to Time receive in Payment from the said Troops for such Necessaries as he shall supply, or has supplied them with, in making farther Purchases of Necessaries for the Use of the said Continental Troops raised in this State.

*Ordered*, That Mr. Schoonmaker and Mr. Gelston, carry a Copy of the said Resolution to the Honorable the Senate, and desire their Concurrence therein.

The engrossed Bill entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State,*" was ordered to be read.—On reading that Paragraph of the said Bill, which is in the Words following, viz.

And



"And be it enacted by the Authority aforesaid, That no Person serving the United States of America, in the five Continental Battalions raised under the Direction of this State, either as an Officer or Soldier, shall be Assessed or Taxed for his Personal Estate, any Thing herein contained to the Contrary notwithstanding."

Mr. Harpur moved that the Words "*in the five Continental Battalions raised under the Direction of this State,*" be obliterated, and that the Words "*raised within this State,*" be added after the Word Soldier.—Debates arose thereon, and the Question being put, it was carried in the Affirmative.

Ordered, That the said Paragraph be amended accordingly.

The said engrossed Bill entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State,*" being read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Schoonmaker and Mr. Gelston, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

A Message from his Excellency the Governor, by Mr. Hatfield, his private Secretary, was read, and is in the Words following, viz.

"Gentlemen,

"Pursuant to a Resolve of Congress of the 18th Day of February last, authorizing and requesting me to superintend the Business of obstructing, fortifying and securing the Passes of the North or Hudson's-River, agreeable to the Resolutions of the 5th Day of November, and to employ the Militia of this State, and to call upon the Massachusetts-Bay and Connecticut, for such Parts of their Militia as may be thought necessary, and those States can spare for executing that important Business; a Copy of which Resolutions you will receive with this Message. I am to request that you will provide for the raising and calling into Service, seven Hundred of the Militia of this State, for those important Purposes, to continue in Service to the first of January next. In Consequence of the Resolutions referred to, I have also requested of the States of Massachusetts and Connecticut, two Thousand three Hundred of the Militia of those States for the same Service, making in the whole, three Thousand Men, which with such Continental Troops as may be spared, I have judged only barely sufficient for this Service. The States at large, and this State in particular, is so immediately interested in the speedy Execution of this Business, that I trust any Arguments to excite the Legislature to a speedy Compliance with this Request, would be unnecessary.

"I have only to observe, that I am induced thus far to exercise the Powers vested in me by Congress, to avoid the Delay, which declining it would necessarily occasion, as the Legislature will readily see, that while they continue sitting, it would be altogether out of my Power to pay that Attention (which I would wish to give) to the Works for the Security of the Passes of the River, and which their Importance demands, and the Safety of this State absolutely requires.

"You will also herewith receive a Copy of the Resolution of Congress of the 9th Day of February last, recommending it to the Legislatures of the several States, to enact Laws for the speedy and effectual Recovery of Debts due to the United States of America.

Poughkeepsie, March 10, 1778.

GEO. CLINTON."

Copies of the several Resolutions of Congress accompanying his Excellency's said Message, were also read.

Ordered, That his Excellency's said Message and the Copies of the Resolutions of Congress which accompany the same, be committed to a Committee. That Mr. Benson, Mr. Cantine and Mr. Bancker, be a Committee for that Purpose, and that they report thereon with all convenient Speed.

Mr. Williams, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to authorize the several County Committees within this State, to procure a Supply of Shoes and Stockings, for the Troops raised under the Direction of this State,*" reported the Proceedings of the Committee thereon, to have been in Manner following, viz.

That in the first Paragraph, on the Words "*the County of Dutchess, four Hundred and fifty Pair of Stockings, and three Hundred and seventy-five Pair of Shoes,*" being read, a Motion was made by Mr. Harpur, that the Word *four* be obliterated, and the Word *five* there inserted, and that the Word *three* be obliterated, and the Word *four* there inserted,—That Debates arose thereon, and the Question being put, it was carried in the Affirmative by every Member present, except Mr. Brinckerhoff, Mr. Swartwout, Mr. Schoonmaker, Mr. Hoffman and Mr. Boerum, who voted in the Negative.—That the Committee had gone through the said Bill and made an Amendment to the Title, and several Amendments to the Bill,—That the Title as amended, is in the Words following, viz. "*An Act to procure a Supply of Shoes and Stockings, for the Troops raised under the Direction of this State,*"



State,"—That after going through the Bill by Clauses, on the Question being put, Whether the Committee agreed to the Bill as amended, and would direct him to report the same to the House, Debates arose, the Committee divided, and it was carried in the Affirmative by every Member present, except Mr. *Brasher*, Mr. *Duncomb*, Mr. *Rowan*, Mr. *Swartwout*, Mr. *Brinckerhoff*, Mr. *E. Clark* and Mr. *Mills*, who voted in the Negative; which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read; And on Mr. Speaker asking the Question, Whether the House agrees with their Committee in their said Report. Debates arose and it passed in the Affirmative, in Manner following. viz.

## For the Affirmative.

Mr. Benson,	Mr. Hathorn,	Mr. Cuyper,	Mr. Latt,	Mr. Van Horne,	Mr. Schoonmaker,
Mr. Drake,	Mr. Boerum,	Mr. Hoffman,	Mr. Van Houten,	Mr. Jay,	Mr. Harpur,
Mr. Cantine,	Mr. Crane,	Mr. Gelston,	Mr. L'Hommedieu,	Mr. R. Van Rensselaer,	Mr. Whiting,
Mr. Graham,	Mr. Bancker,	Mr. Wickes,	Mr. Williams,	Mr. Lawrence,	
Mr. Rea,	Mr. Snyder,	Mr. Livingston,	Mr. Cuyler,	Mr. K. Van Rensselaer,	

## For the Negative.

Mr. Brasher,	Mr. Rowan,	Mr. Brinckerhoff,	Mr. Mills.
Mr. Duncomb,	Mr. Swartwout,	Mr. E. Clark,	

Therefore *Resolved*, That the Bill as amended do pass.

*Ordered*, That Mr. *Williams* and Mr. *E. Clark*, carry back the said Bill, with the Amendments to the Honorable the Senate.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. March 11, 1778.

MR. BENSON, (according to Leave) brought in a Bill, entitled, "*An Act to revive a Resolution of the Convention of this State, exempting Persons from being Drafted in the Militia, who should procure others to enlist in the five Continental Battalions, raised under the Direction of this State, and for giving Relief, in Cases where two Persons have jointly procured a Man to enlist*," which was read the first Time and ordered a second Reading.

Mr. *K. Van Rensselaer*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to enable his Excellency the Governor, to assist the Continental Commissary of Prisoners, within this State, with Means to secure the Prisoners of War, under his Direction*," reported, that the said Committee had gone thro' the said Bill, without any Amendment, which they had directed him to report to the House, and he read the Report in his Place and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Hoffman* and Mr. *Lott*, carry back the said Bill, to the Honorable the Senate, and inform them that this House have passed the said Bill, without any Amendment.

*Resolved*, That *Stephen Hendrickson* be, and is hereby appointed Serjeant at Arms, to this House.

A Message was received from the Honorable the Senate, by *Lewis Morris*, Esq; that the Senate have concurred with this House, in their Resolutions directing the Treasurer, to advance to *David Currie*, the Sum of One Thousand Pounds, for the Purposes in the said Resolutions mentioned; and for authorizing and requiring the said *David Currie*, to lay out the Monies he shall receive from the Continental Troops, raised in this State, in such Manner, as is by the other of the said Resolutions directed.

The Bill entitled, "*An Act to discharge, pardon and remit all Offences, Prosecutions, Convictions, Penalties and Forfeitures, by Virtue of an Act entitled, An Act for preventing tumultuous and riotous Assemblies, in the Places therein mentioned, and for the more speedy and effectual punishing the Rioters*" was read the second Time, and committed to a Committee of the whole House.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T H U R S D A Y, 9 o'Clock, A. M. March 12, 1778.

A Petition from the Committee of Tryon County, dated the 5th Instant, praying for an additional Quantity of Salt, was read.

*Ordered*, That Mr. Speaker write a Letter, to *William Wills*, Esq; who has subscribed the said Petition, and inform him, that there is not now any Store of public Salt in the State, and that therefore, it is not in the Power of this House at Present, to grant the Prayer of the said Petition.

The Committee to whom was referred, the Application of the Commissioners, for superintending the Return of the Prisoners of this State, from the State of Connecticut, for a Sum



a Sum of Money to be advanced to them, to enable them to Discharge fundry Accounts, accrued in the Execution of the Business committed to them. Report,

That Fifteen Hundred Pounds, have been advanced to the said Commissioners, and that they have accounted with this State, for the Expenditure of £1223—18—8.

That the said Commissioners having been authorized for that Purpose, did purchase a Quantity of Flour, on the Account of this State, and that Part of the said Flour, now remains on Hand unfold, and that the whole of the said Flour remains unpaid for.—That the said Commissioners must re-place, three Thousand six Hundred and seventy-six Pounds of Beef, and one Thousand nine Hundred and fourteen Pounds and a Half of Pork, twenty Barrels of Flour, and a Quantity of Biscuits, for the same Quantity of Provisions furnished to the Prisoners of this State, while in *Connecticut*.

That if such Part of the said Flour [after re-placing the said twenty Barrels. And the said Quantity of Biscuit, as now remains unfold) should be retained by this State, the said Commissioners will require a Sum of One Thousand Pounds, to be advanced to them, to defray the Expence of the Business committed to them.—That if the said Commissioners should sell such Part of the said Flour, as now remains unfold, they will require only the Sum of Five Hundred Pounds, to be advanced to them for the Purposes afore-said.

Thereupon,

*Resolved*, if the Honorable the Senate shall concur herein, That the said Commissioners be directed to sell such Part of the said Flour, (after re-placing the said twenty Barrels of Flour and the said Biscuit) as shall remain unfold, for the best Price that can be gotten for the same.

*Resolved*, if the Honorable the Senate shall concur herein, That the Treasurer of this State, do pay to *Melancton Smith, Jeremiah Van Rensselaer and Peter Cantine*, Esqrs; Commissioners appointed for superintending the Return of the Prisoners of this State, from the State of *Connecticut*, the Sum of Five Hundred Pounds.

*Ordered*, That Mr. *Benson* and Mr. *Van Horne*, carry a Copy of the said Resolutions to the Honorable the Senate.

Mr. *Benson*, moved for Leave to bring in a Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit, issued by the Authority of the Provincial Congresses, or Conventions of this State.*"

*Ordered*, That Leave be given accordingly.

Mr. *Benson*, accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Benson*, from the Committee for that Purpose appointed, (according to Order) reported a Bill, entitled, "*An Act for completing the five Continental Battalions, raised under the Direction of this State,*" which was read the first Time, and ordered a second Reading.

The Bill entitled, "*An Act to revive a Resolution of the Convention of this State, exempting Persons from being Drafted in the Militia, who should procure others to enlist in the five Continental Battalions, raised under the Direction of this State, and for giving Relief in Cases where two Persons have jointly procured a Man to enlist,*" was read the second Time, and committed to a Committee of the whole House.

Mr. *Schoonmaker*, moved for Leave to bring in a Bill, entitled, "*An Act for the better laying out, regulating and keeping in Repair, all common and public Highways, and private Roads, in the County of Ulster.*"

*Ordered*, That Leave be given accordingly.

Mr. *Schoonmaker*, accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Van Houten*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for appointing one or more Commissioners, in each County of this State, to take in Subscriptions on Loan Office Certificates.*" reported to the House, that the said Committee had gone through the said Bill, and made some Amendments thereto and altered the Title; that the altered Title, is in the Words following, viz. "*An Act appointing Commissioners, to take in Subscriptions on Loan Office Certificates,*" which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

*Ordered*, That the said Bill and Amendments be engrossed.

A Message from the Honorable the Council of Revision, dated this Day, signed by his Excellency the Governor, and delivered by the Chief Justice, was read and follows, viz. "That it does not appear improper to the said Council, that the Bill, entitled, "*An Act for increasing the Number of Assessors, throughout this State,* should become a Law of this State."

Mr. *Boerum*, from the Committee of the whole House, to whom was referred the Bill, entitled,



entitled, *An Act to discharge, pardon and remit all Offences, Prosecutions, Convictions, Penalties and Forfeitures, by Virtue of a certain Act entitled, An Act for preventing tumultuous and riotous Assemblies, in the Places therein mentioned, and for the more speedy and effectual punishing the Rioters,* reported, that the said Committee had gone thro' the said Bill, without any Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read and agreed to by the House.

*Resolved,* That the Bill do pass.

*Ordered,* That Mr. Hoffman and Mr. Wickes, carry the said Bill to the Honorable the Senate, and inform them that this House have passed the same, without any Amendment.

Mr. Lott, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to ascertain the Places, from whence the Milage Fees of the respective Sheriffs, of the several Counties in this State, shall be computed,*" reported that the Committee had gone through the said Bill, and made an Amendment thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

*Resolved,* That the Bill, with the Amendment do pass.

*Ordered,* That Mr. Lott and Mr. Cuyler, carry back to the Honorable the Senate, the Bill, entitled, "*An Act to ascertain the Places, from whence the Milage Fees of the respective Sheriffs, of the several Counties in this State, shall be computed,*" and inform them, that this House have passed the said Bill with the Amendment therewith delivered.

Mr. Williams moved for Leave to bring in a Bill, for regulating Impresses within this State.

*Ordered,* That Leave be given accordingly.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y 9 o'Clock, A. M. March 13, 1778.

ON Application on Behalf of Messrs Abraham Schenk and Gideon Ver Velen, Commissioners in the County of Dutchess, to take the general Superintendence of certain Poor in that County.

*Resolved,* if the Honorable the Senate shall concur herein, That the Treasurer of this State pay to the said Abraham Schenk and Gideon Ver Velen, a Sum not exceeding Five Hundred Pounds, for the Maintenance and Support of the said Poor.

On Application of Zebediab Mills, Esq; one of the Commissioners for superintending certain Poor in Westchester County.

*Resolved,* if the Honorable the Senate shall concur herein, That the Treasurer of this State pay to the said Zebediab Mills, a Sum not exceeding One Hundred and Fifty Pounds, for the Maintenance and Support of the said poor.

On Application on Behalf of Mr. Abraham Bevier, Commissioner for the Superintendence of certain Poor in the County of Ulster.

*Resolved,* if the Honorable the Senate shall concur herein, That the Treasurer of this State pay to the said Abraham Bevier, a Sum not exceeding Two Hundred Pounds, for the Maintenance and Support of the said Poor.

*Ordered,* That Mr. Brashear and Mr. Swartwout, carry a Copy of the above Resolutions to the Honorable the Senate, and desire their Concurrence therein.

A Petition of Jonathan G. Graham and Ebenezer Slason, signed on Behalf of ninety-one Inhabitants of the County of Westchester, was read.

*Ordered,* That it be committed to a Committee, and that Mr. Benson, Mr. Drake, Mr. L'Hommedieu, Mr. Harpur and Mr. Schoonmaker, be a Committee for that Purpose.

A Copy of a Message from the Honorable the Council of Revision, to the Honorable the Senate, dated this Day, was read, and follows, viz. "That it does not appear improper to the said Council, that the Bill entitled, "*An Act to enable his Excellency the Governor, to assist the Continental Commissary of Prisoners within this State, with the Means to secure the Prisoners of War under his Direction,*" should become a Law of this State."

The Bill entitled, "*An Act for completing the five Continental Battalions raised under the Direction of this State,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for calling in by Loan, the Bills of Credit issued by the Authority of the Provincial Congresses or Conventions of this State,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for the better laying out, regulating and keeping in Repair, all common and public Highways and private Roads in the County of Ulster,*" was read the second Time, and committed to the Members of Ulster, Dutchess and Westchester, or the major Part of them.

The



The engrossed Bill entitled, "*An Act appointing Commissioners to take in Subscriptions on Loan Office Certificates,*" was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Brasler* and Mr. *Swartwout*, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. *March 14, 1778.*

MR. BENSON, from the Committee to whom was referred the Petition of *Jonathan G. Graham* and *Ebenezer Slason*, on Behalf of ninety-one Inhabitants of the County of *Westchester*, brought in the Report of the said Committee, which was read, and is in the Words following, *viz.*

"That upon a Representation of the defenceless Situation of the County of *Westchester*, the late Council of Safety did, by a Resolution of the 4th of January last, request his Excellency the Governor, to provide in such Manner as he should think most effectual, for the Defence of the said County and other frontier Parts of this State, by Levies or Detachments from the Militia; and the more effectually to furnish such Levies or Detachments, the said Council did revive certain Resolutions of the Council of Safety of this State, of the 31st Day of July last, for laying Assessments on the Exempts in the Militia, and did extend the same to Persons of the Age of sixty Years and upwards,—That in Consequence thereof, Assessments have been made in the Regiments of Colonels *Van Cortlandt*, *Thomas* and *Drake*, in *Westchester* County, and Distresses and Sales made from Persons refusing to pay the Sums so assessed,—That a considerable Part of the Monies have been collected and paid to the said Levies,—That the Bounties already paid to the said Levies, were in Proportion to the whole Amount of the Assessments laid on each respective Regiment,—That a Number of Persons have already engaged to enlist, and will enlist in the said Detachments, upon receiving a Bounty in the above Proportion,—That a Number of Cattle and other Chattels have been distrained from Persons refusing to pay the Sums so assessed against them, and are advertised for Sale,—That it is suggested that some of the Assessments have been injudiciously made, and that from thence have arisen the present Uneasiness and Complaints. Your Committee therefore beg Leave to report the following Resolutions, *viz.*

"*Resolved*, That it be recommended to the Field Officers of the said three several Regiments, forthwith to appoint for each respective Regiment five other, and new Assessors, to be discreet and reputable Persons, not being Commissioned Officers belonging to either of the said Regiments, nor subject to an Assessment by the Terms of the above Resolution,—That the said Assessors so to be appointed, shall immediately review the Assessments of the respective Regiments, and shall apportion the whole Amount of the Assessments of the several Regiments upon the several Persons in each Regiment, who by the Terms of the above Resolution, were subject to be assessed in such Manner, as to the Assessors shall appear just and reasonable, having due Regard not only to the Estate and Abilities of each Person, but also to the Services which they have severally rendered to their Country during the present War.

"That the Assessments so to be made by the Assessors last appointed, shall be deemed the true and proper Assessments, within the said Regiments respectively.

"That where an Abatement in the former Assessment of any Persons shall be made, such Persons shall respectively be re-paid, out of the Monies to be collected from the other Persons subject to be assessed, the Amount of such Abatement, or such Part thereof, as they shall respectively heretofore have paid.

"That all Sales of Goods distrained for Payment of Assessments made in Consequence of the above Resolution shall stand confirmed; and that no future Sales shall be made of Goods already taken and distrained, except where Persons shall refuse to pay the Sum assessed upon them by the Assessors last appointed.

"That the Commanding Officers of the said several Regiments, cause the Sums to be assessed by the said last appointed Assessors, to be collected by Distress and Sale of the Goods and Chattels of the several Persons who shall refuse to pay the Sums assessed on them respectively.

"*Resolved*, That the Legislature of this State, will by a proper Law to be passed for that Purpose, ratify and confirm whatever has been or shall be done, by the Field Officers of the said three Regiments respectively, or either of them, or by any Person or Persons in the Premises, by the Command or Order of the said Field Officers, or either of them, in Consequence of the above Resolution, or in Consequence of the Resolution of the Council of Safety, of the 4th Day of January last, so as the several Persons who have



have been or shall be assessed, shall be compellable only to pay the Sums at which they shall be respectively assessed by the Assessors, so to be appointed as last aforesaid."

The said Report being read, was again read by Paragraphs, and the Question being put, Whether the House would agree with their Committee in the said Report and Resolutions,—Debates arose and it passed in the Affirmative by every Member present, except Mr. Brasen, Mr. Dunscomb and Mr. R. Van Rensselaer, who voted in the Negative.

*Resolved* therefore, That this House do agree with their Committee, in the said Report and Resolutions.

*Ordered*, That Mr. Benson and Mr. Drake, carry a Copy of the said Report and Resolutions to the Honorable the Senate, and desire their Concurrence therein.

A Petition of Ebenezer Scofield, on Behalf of himself and other Inhabitants of Westchester County, praying a Compensation for certain Losses sustained in the said County, in the Service of the United States, was read.

*Ordered*, That the said Petition be committed to a Committee, and that Mr. Mills, Mr. Brinckerhoff and Mr. Dunscomb, be a Committee for that Purpose.

*Resolved*, if the Honorable the Senate shall concur herein, That his Excellency the Governor, be requested to appoint to himself two Aids de Camp, and one of them to act occasionally as his private Secretary, and that the Legislature will provide for the Expence thereof, by allowing to the said Aids de Camp, (except when they are in Service, so as to be entitled to receive Pay from the United States) Continental Pay and Rations, as Lieutenant Colonels.

*Ordered*, That Mr. Benson and Mr. Drake, carry a Copy of the above Resolution to the Honorable the Senate for Concurrence.

Mr. Lawrence, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to revive a Resolution of the Convention of this State, exempting Persons from being Drafted in the Militia, who shall procure others to enlist in the Continental Battalions, raised under the Direction of this State, and for giving Relief in Cases where two Persons have jointly procured a Man to enlist,*" reported, that the said Committee had gone through the said Bill, made several Amendments thereto and altered the Title, which Title as amended, is in the Words following, viz. "*An Act exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State, and for giving Relief, in Cases where two Persons have jointly procured a Man to enlist,*" which Report he read in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

*Ordered*, That the said Bill and Amendments be engrossed.

A Message was received from the Honorable the Senate, by Levi Pawling, Esq; That the Senate have agreed to the Amendment made by this House, to the Bill entitled, "*An Act to ascertain the Places, from whence the Milage Fees of the respective Sheriffs of the several Counties in this State, shall be computed,*" and have caused the said Bill to be amended accordingly.

The said Bill being read, and it appearing that the same is amended accordingly.

*Ordered*, That Mr. R. Van Rensselaer and Mr. Wickes, carry back the said Bill to the Honorable the Senate.

A Message was received from the Honorable the Senate, by Lewis Morris, Esq; that he was directed to deliver Copies of three several Resolutions of the Senate, passed that Day, together with the Law, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" the said Resolutions of Senate being read, are respectively in the Words following, viz,

"*Resolved*, That the Bill, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" [notwithstanding the Objections of the Council of Revision to the same] be a Law of this State.

"*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolutions of Yesterday, directing the Treasurer to pay to the Commissioners, to take the General Superintendence of certain Poor, in the Counties of Dutchess, Westchester, and Ulster, the several Sums in the said Resolutions mentioned.

"*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolution agreeing with their Committee in their Report, on the Petition of Jonathan G. Graham and Ebenezer Slason, on Behalf of ninety-one Inhabitants of the County of Westchester."

*Resolved*, That this House will at their first Meeting, after their next Adjournment, resolve itself into a Committee of the whole House, on that Part of his Excellency the Governor's Speech, of the 10th of September last, which recommends the making a proper Provision for the Support of Government.

Then the House adjourned until Monday next at three o'Clock in the Afternoon.



MONDAY, 3 o'Clock, P. M. March 16, 1778.

THE House met, pursuant to Adjournment, and adjourned until nine o'Clock To-Morrow-Morning.

TUESDAY, 9 o'Clock, A. M. March 17, 1778.

A Message from the Honorable the Senate, by *Lewis Morris*, Esq; that he was directed to deliver to this House, Copies of several Resolutions of Senate, passed Yesterday, with the Bill mentioned in one of the said Resolutions.

One of the said Resolutions being read, is in the Words following, viz.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolutions of the 12th Instant, on the Report of a Committee of that Honorable House, relative to *Melancton Smith*, *Peter Cantine* and *Jeremiah Van Rensselaer*, Esqrs; Commissioners appointed for superintending the Return of the Prisoners of this State, from the State of *Connecticut*."

Another of the said Resolutions being read, is in the Words following, viz.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of the 14th Instant, requesting his Excellency the Governor to appoint to himself, two Aids de Camp, for the Purposes in the said Resolution mentioned."

Ordered, That Mr. *Honeywell* and Mr. *Wisner*, wait on his Excellency the Governor, with a Copy of the Resolution of this House, of the 14th Instant, requesting him to appoint to himself two Aids de Camp, and with a Copy of the Resolution of Concurrence of the Honorable the Senate thereto.

The others of the said Resolutions being read, it thereby appears that the Senate do not concur with this House, in the Amendments to the Bill, entitled, "*An Act to authorize the several County Committees within this State, to procure a Supply of Shoes and Stockings, for the Troops raised under the Direction of this State*," which increases the Number of Pairs of Shoes and Stockings, in the said Bill mentioned; And that the Senate do concur with this House, in the other Amendments to the said Bill.

Resolved, That this House do recede from such of their Amendments to the said Bill, as the Honorable the Senate have not concurred in.

Ordered, That Mr. *Drake* and Mr. *Mills*, carry back the said Bill with a Copy of the above Resolution to the Honorable the Senate.

A Message from his Excellency the Governor, by Mr. *Hatfield*, his private Secretary, was read and is in the Words following, viz.

"Gentlemen,

"You will receive with this Message, a Copy of an Act of Congress, of the 26th Day of February last, for filling up the Continental Battalions and a Copy of a Report from the Board of War, shewing the Number wanting to complete them.

"These Papers came to my Hands last Night, and as they respect a Subject long since recommended to the Consideration of the Legislature, I take the earliest Opportunity of laying them before you.

"A Copy of another Act of Congress, of the 26th Day of February, respecting the Exchange of Prisoners, will be also herewith delivered to you, by which you will observe, that the Accounts of Money, Provisions and other Necessaries, which have been supplied to Prisoners taken by the United States, are to be transmitted by the different States as speedily as possible, to the Commissioners of Claims at the Board of Treasury.—You will therefore be pleased to take the proper Measures for effecting this Business, as far as it may concern this State.

*Poughkeepsie*, March 16, 1778.

GEO. CLINTON."

The Copies of the several Acts or Resolutions of Congress referred to in his Excellency's said Message, were also read.

Ordered, That the said Act or Resolution of Congress of the 26th Day of February, for filling up the Continental Battalions, be referred to the Committee who brought in the Bill, entitled, "*An Act for completing the five Continental Battalions, raised under the Direction of this State*,"

Ordered, That the said Act or Resolution of Congress of the 26th Day of February last, relative to the Exchange of Prisoners, be committed to a Committee, and that Mr. *Bancker*, Mr. *L'Homedieu* and Mr. *Livingston*, be a Committee for that Purpose.

Mr. *Hathorn* moved for Leave to bring in a Bill, to be entitled, "*An Act for the Taxation of certain Persons exempted by Law from serving in the Militia*."

Ordered, That Leave be given accordingly.

Mr. *Hathorn* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr.



Mr. Benson moved for Leave to bring in a Bill, to be entitled, "*An Act for raising, paying and subsisting Men for the Defence of this State.*"

Ordered, That Leave be given accordingly.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. L'Hommedieu moved for Leave to bring in a Bill, entitled, "*An Act to remove Doubts, concerning the Powers of the last Convention and Council of Safety of this State, and to indemnify those who have acted under their Authority respectively.*"

Ordered, That Leave be given accordingly.

Mr. L'Hommedieu accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. Benson moved for Leave to bring in a Bill, entitled, "*An Act for altering the Judgments heretofore by Law prescribed, against Persons found guilty of High Treason and Petty Treason, and those who being arraigned for Treason or Felony, stand mute or refuse to plead.*"

Ordered, That Leave be given accordingly.

Mr. Benson accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Message was received from the Honorable the Senate, by Lewis Morris, Esq; that the Senate have passed a Bill, entitled, "*An Act to regulate Elections within this State,*" and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

The Order of the Day being read, the House resolved itself into a Committee of the whole House, on that Part of the Speech of his Excellency the Governor, on the 10th Day of September last, which recommends the making a proper Provision for the Support of Government.—After some Time spent therein, Mr. Speaker resumed the Chair, and Mr. Wisner from the said Committee, reported, that the Committee had made some Progress therein, and directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

A Message was received from the Honorable the Senate, by Isaac Roosevelt, Esq; with the Bill entitled, "*An Act to procure a Supply of Shoes and Stockings, for the Troops raised under the Direction of this State;*" That the Senate have caused the said Bill to be amended, agreeable to the Amendments thereto made, and not receded from by this House.—The said Bill being read, and it appearing that the said Bill is amended accordingly.

Ordered, That Mr. Cuyler and Mr. Lott, carry back the said Bill to the Honorable the Senate.

A Message was received from the Honorable the Council of Revision, signed by his Excellency the Governor, and delivered by the Chief Justice, That it does not appear improper to the said Council, that the Bill entitled, "*An Act further to organize the Government of this State,*" should become a Law of this State.

Mr. Whiting moved for Leave to bring in a Bill, to amend an Act entitled, "*An Act against the Profanation of the Lord's Day called Sunday.*"

Ordered, That Leave be given accordingly.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. March 18, 1778.

A Representation of the Commissioners of Sequestration for the County of Westchester, was read.

Ordered, That the said Representation be committed to a Committee, and that Mr. L'Hommedieu and Mr. Hoffman, be a Committee for the Purpose.

The Bill entitled, "*An Act to remove Doubts concerning the Powers of the last Convention and Council of Safety of this State, and to indemnify those who have acted under their Authority respectively,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for altering the Judgments heretofore by Law prescribed, against Persons found guilty of High Treason or Petty Treason; and those who on being arraigned for Treason or Felony, stand mute or refuse to plead,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to regulate Elections within this State,*" was read the second Time, and committed to a Committee of the whole House.

A Petition of Jacob Tremper and John Tremper, dated the second Instant, (accompanied with their respective Affidavits) was read, setting forth, that on the 23d Day of December last, at the Town of Hurly, in the County of Ulster, a Quantity of tanned Leather that had been their Property, was sold at public Vendue, in Pursuance of a Resolution of the Council of Safety of this State, to prevent the Exportation of tanned Leather,

by



by which Resolution, the said Leather was forfeited to the People of this State; assigning Reasons for granting the Prayer of the said Petition; and praying that the Legislature will be pleased to direct Payment to them of the neat Proceeds of the said Leather, after a Deduction of all Charges which attended the seizing and selling thereof.

*Resolved*, If the Honorable the Senate shall concur herein, That the Prayer of the Petition of *Jacob Tremper* and *John Tremper*, be granted; and that the Treasurer be directed to pay to the Petitioners, the neat Proceeds of the Leather therein mentioned, after a Deduction of all Charges in seizing and selling the same.

*Ordered*, That Mr. *Harpur* and Mr. *Morehouse*, carry the said Petition and Affidavits, together with a Copy of the above Resolution, to the Honorable the Senate.

A Message was received from the Honorable the Senate, by *Anthony Van Schaick*, Esq; which being read, is in the Words following, viz.

" State of *New-York*.

*In Senate*, March 18, 1778.

" Mr. *Yates*, from the Committee to whom were referred, the Letter from *Matthew Adgate* and *Isaac Goes*, Esqrs; Commissioners of Sequestration in the County of *Albany*, and the Papers accompanying the same, delivered in the Report of the Committee, which he read in his place and delivered the same in at the Table, where the same was again read, and is in the Words following, viz.

" Your Committee to whom were referred the Letter, from *Matthew Adgate* and *Isaac Goes*, Esqrs; Commissioners of Sequestration in the County of *Albany*, and the Papers accompanying the same, respecting seven Casks, containing fifteen Dozen and four Bottles of Wine, seized by the said Commissioners as the Property of *Shaw* and *Ludlow*, Merchants of *New-York*, and claimed by Mr. *Henry Ludlow*, and also respecting two Slaves and some Household Furniture, and other Things, [described in an Inventory inclosed in the said Letter] left in the Possession of *Catharine Kittle*, [the Wife of *Andries Kittle*, who is gone over to the Enemy] pursuant to an Order of the late Council of Safety, of the 6th of December last; report the following Resolutions, viz.

" *Resolved*, If the Honorable House of Assembly concur herein, That the said Commissioners do restore to the said *Henry Ludlow*, the said seven Casks of bottled Wine above mentioned.

" *Resolved*, If the Honorable House of Assembly concur herein, That the said Commissioners, be and are hereby directed to permit the said *Catharine Kittle*, to keep in her Possession the said two Slaves, Household Furniture and other Things, in the said Inventory mentioned."

The same being taken into Consideration;

" *Resolved*, That this Senate do agree with their Committee in the said Report.

" *Ordered*, That Mr. *Van Schaick*, carry a Copy of the foregoing Resolutions to the Honorable House of Assembly, for Concurrence.

*A true Copy from the Minutes,*

ROBERT BENSON, Clerk."

Mr. *Cuyper*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for completing the five Continental Regiments, raised under the Direction of this State*," reported, that the Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. March 19, 1778.

A Message from the Honorable the Senate, by *Anthony Van Schaick*, Esq; that the Senate have passed the two following Bills, without Amendment, viz.

" The Bill entitled, "*An Act appointing Commissioners to take in Subscriptions on Loan Office Certificates*." And also the Bill, entitled, "*An Act exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State, and for giving Relief in Cases where two Persons have jointly procured a Man to enlist*."

*Ordered*, That Mr. *Livingston* and Mr. *Hoffman*, carry the first above mentioned Bill, to the Honorable the Council of Revision.

*Ordered*, That Mr. *Benson* and Mr. *Dancker*, carry the second above mentioned Bill to the Honorable the Council of Revision.

Mr. *Harpur* moved for Leave to bring in a Bill, entitled, "*An Act to enable the several Courts of Law, and Equity and the Judges, and Magistrates within this State, to dispense with the usual Mode of administering Oaths in Favour of Persons, who have Scruples about the same*."

*Ordered*, That Leave be given accordingly.

The said Bill was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

FRIDAY,



FRIDAY 9 o'Clock, A. M. March 20, 1778.

MR. WHITING, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to regulate Elections within this State*," reported that the said Committee had gone through the said Bill and made several Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

The Bill being then read the third Time; Mr. Benson moved, that the disqualifying Clause contained in Part of the 11th and in the 12th, and Part of the 13th Pages of the said Bill, be rejected.—Debates arose thereon, and the Question being put, it passed in the Negative, in Manner following, viz.

## For the Affirmative.

Mr. L'Homedieu,	Mr. Jay,	Mr. Birdfall,	Mr. K. Van Rensselaer,	Mr. Benson,
Mr. R. Van Rensselaer,	Mr. Livingston,	Mr. Gelston,	Mr. Bancker,	Mr. Whiting,
Mr. Hoffman,	Mr. Brinckerhoff,	Mr. Rowan,	Mr. Cuyler,	

## For the Negative.

Mr. Swartwout,	Mr. Rea,	Mr. Harpur,	Mr. Wickes,	Mr. Honeywell,	Mr. Duncomb,
Mr. Brasher,	Mr. Lawrence,	Mr. Cuyper,	Mr. E. Clark,	Mr. Snyder,	Mr. Schoonmaker,
Mr. Crane,	Mr. Drake,	Mr. Van Houten,	Mr. Graham,	Mr. Morehouse,	Mr. Boerum,
Mr. Lott,	Mr. Williams,	Mr. Cantine,	Mr. Wisner,	Mr. Van Horne,	

Mr. Speaker then asked the Question, whether the Bill as amended shall pass—Debates arose, and it was carried in the Affirmative.

Resolved therefore, That the Bill as amended do pass.

Ordered, That Mr. Benson and Mr. Lawrence, carry the said Bill and Amendments to the Honorable the Senate.

Mr. Cuyper from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for completing the five Continental Battalions, raised under the Direction of this State*," reported, that the said Committee have made some Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Mr. Williams moved for Leave to bring in a Bill, entitled, "*An Act to regulate Impresses of Forage, and to facilitate the obtaining Supplies of that Article within this State*."

Ordered, That Leave be given accordingly.

Mr. Williams accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. Cuyper moved for Leave to bring in a Bill, entitled, "*An Act to enable his Excellency the Governor, out of the Monies heretofore granted to him, to defray the Expence of paying and subsisting such of the Militia as were in Service previous thereto*."

Ordered, That Leave be given accordingly.

Mr. Cuyper accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. March 21, 1778.

MR. L'HOMMEDIU, from the Committee, to whom was referred the Representation of the Commissioners of Sequestration, for the County of Westchester, reported that it is the Opinion of the said Committee, that the said Commissioners, should by a Law of the State, be authorized to sell certain Species of sequestered Goods in the Representation mentioned, at private Sale.

Resolved, That the House agree with their Committee in the said Report.

Ordered, That a Bill be brought in to enable the Commissioners of Sequestration, for the County of Westchester, to sell certain sequestered Goods and Effects at private Sale, and that the said Committee prepare and bring in the same.

Mr. L'Homedieu, from the said Committee, accordingly brought in a Bill, entitled, "*An Act to enable the Commissioners of Sequestration, for the County of Westchester, to sell certain sequestered Goods and Effects at private Sale*," which was read the first Time and ordered a second Reading.

Mr. Williams, moved for Leave to bring in a Bill, entitled, "*An Act to expedite the payment of Debts due to this State*."

Ordered, That Leave be given accordingly.

Mr. Williams, accordingly brought in the said Bill, which was read the first Time and ordered a second Reading.



The Bill entitled, "*An Act to enable the several Courts of Law and Equity, and the Judges and Magistrates of this State, to dispense with the usual Mode of administering Oaths, in Favour of Persons who have Scruples about the same,*" was read the second Time and committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by *Alexander Webster, Esq.* That the Senate have passed the Bill, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State,*" with sundry Amendments. The said Amendments were then read, and the said Bill with the several Amendments, were then read through by Paragraphs. The Amendment to the second enacting Clause being again read, is in the Words following, viz. "In making which Assessment, the said Assessors or one of them, is and are hereby directed, and required to tender to each and every Person and Persons within their District, whom they shall know or suspect to have gained by Trade, Merchandize, Traffic or Manufactory, One Thousand Pounds or upwards, since the 12th Day of September, in the Year of our Lord One Thousand Seven Hundred and Seventy Six, the following Oath or Affirmation, viz. You do solemnly swear and declare, in the Presence of Almighty God, [or if of the People called Quakers] do solemnly, sincerely and truly declare and affirm, that you will true Answer make to such Questions, as we the Assessors or either of us shall ask you, touching the Advantages, Profits or Gain, which you have made by your Trade, Merchandize, Traffic or Manufactory, since the 12th Day of September, in the Year of our Lord One Thousand Seven Hundred and Seventy Six: So help you God: Which Oath or Affirmation being administered, the said Assessors or one of them shall ask each such Person, if he has gained one Thousand Pounds by his Trade, Merchandize, Traffic or Manufactory, since the 12th Day of September, in the Year of our Lord One Thousand Seven Hundred and Seventy-Six; and if he shall Answer in the Affirmative, then the said Assessor or Assessors shall ask such Person, how many Thousand Pounds he has gained in Manner afore-said; and for every Thousand Pounds so gained, they shall assess each such Person, the Sum of Fifty Pounds, over and above the One Penny Half Penny to be assessed upon his personal Estate. And upon his refusing to take such Oath or Affirmation, or wilfully keeping out of the Way of the Assessors, they shall in such Case, make an Estimate of his Gains, adding twenty per Cent thereto, and then upon every Thousand Pounds, so made out by such Estimation and Addition of twenty per Cent, the said Assessors shall assess such Person Fifty Pounds, over and above the One Penny Half Penny, to be assessed upon his personal Estate, any Thing herein contained, to the Contrary notwithstanding."

On the Question being put, Whether the House would agree to the said Amendment. Debates arose and it passed in the Affirmative, in Manner following, viz.

For the Affirmative.

Mr. Duncomb,	Mr. Williams,	Mr. Van Houten,	Mr. Wickes,	Mr. Rea,	Mr. Bancker,
Mr. Rowen,	Mr. Lott,	Mr. Van Horne,	Mr. Cantine,	Mr. Whiting,	Mr. Graham,
Mr. Brinckerhoff,	Mr. Lawrence,	Mr. E. Clark,	Mr. Crane,	Mr. Cuyper,	Mr. Honeywell,
M <sup>r</sup> . Bratler,	Mr. Snyder,	Mr. Drake,	Mr. Morehouse,	Mr. Schoonmaker,	

For the Negative.

Mr. Benson,	Mr. K. Van Rensselaer,	Mr. R. Van Rensselaer,	Mr. Jay,	Mr. Gelston,	Mr. Boerum,
Mr. L'Hommiedieu,	Mr. Livingston,	Mr. Harpur,	Mr. Hoffman,	Mr. Cuyler,	Mr. Wisner.

The several other Amendments to the said Bill being respectively read, were agreed to by the House. Thereupon,

*Resolved,* That this House do agree with the Honorable the Senate, in their Amendments to the said Bill.

*Ordered,* That Mr. Brinckerhoff and Mr. Honeywell, carry back the said Bill to the Honorable the Senate, and inform them that this House have agreed to their Amendments to the said Bill, and amended the same accordingly.

The Bill entitled, "*An Act for raising, paying and subsisting Men, for the Defence of this State,*" was read the second Time and committed to a Committee of the whole House.

The Bill entitled, "*An Act to regulate Impresses of Forage, and to facilitate the obtaining Supplies of that Article, within this State,*" was read the second Time and committed to a Committee of the whole House.

The Bill entitled, "*An Act to enable his Excellency the Governor, out of the Monies heretofore granted to him, to defray the the Expence of paying and subsisting such of the Militia, as were in Service previous thereto,*" was read the second Time, and committed to a Committee of the whole House.

A Copy of a Message from his Excellency the Governor to the Legislature, delivered to the Honorable the Senate, and by them transmitted to this House, was read and is in the Words following, viz.

"Gentlemen,



Gentlemen,

"You will herewith receive a Resolution of the Honorable the Congress, of the 12th of March Instant, the Subject of it is highly important, and demands your most serious Attention.

"I think it my Duty to inform you that divers disaffected Persons and Families, dwell and reside in the Vicinity of several of the Posts, Forts and Passes in this State, and that there is great Reason to suspect that they are Instrumental, in giving the Enemy important Intelligence, from Time to Time of their State and Condition. It is not in my Power to remove them; and therefore submit to you the Propriety of speedily devising some Means, whereby they may be removed. This Business calls for the greater Dispatch, as the Season for Military Operations approaches fast. It is also proper, that you should be informed that there are in this State, certain Persons who have collected considerable Quantities of Provisions, of various Kinds, which they refuse to sell at the current Price for Paper Money.

"This evil unless immediately remedied, may prove of dangerous Consequence, as there is Reason to presume that those Supplies are intended for the Use of the Enemy.

"I think it my Duty to inform you, that some late Accounts I have received of the Movements of the Enemy, have induced me to order a considerable Body of the Militia to the Posts in the Highlands, as well to provide for their Defence as to forward the Works erecting there, to secure the Navigation of *Hudson's-River*; should the Operations of the Enemy render it necessary to call a greater Proportion of the Militia into the Field, I shall think it my Duty to head them; and therefore flatter myself that the more important Objects only of the Legislature, will for the Present engage their Attention.

Poughkeepsie, March 21, 1778.

GEO. CLINTON."

Ordered, That his Excellency's said Message be committed to a Committee, and that Mr. *L'Hommiedieu*, Mr. *Harpur* and Mr. *Drake*, be a Committee for that Purpose, and that they report thereon with all convenient Speed.

A Copy of a Message from the Honorable the Council of Revision, to the Honorable the Senate, dated the 19th Instant, was received and read, viz. "That it does not appear improper to the said Council, that the Bill, entitled, "*An Act to procure a Supply of Shoes and Stockings, for the Troops raised under the Direction of this State,*" should become a Law of this State."

A Copy of another Message from the said Council of Revision, to the Senate, dated the 19th Instant, was received and read, viz. "That it does not appear improper to the said Council, that the Bill, entitled, "*An Act to ascertain the Places, from whence the Milage Fees of the respective Sheriffs of the several Counties in this State, shall be computed,*" should become a Law of this State.

A Copy of a Resolution of the said Council of Revision on the 16th and sent to the Senate on the 19th Instant, was received and is in the Words following, viz.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, "*An Act to discharge pardon and remit all Offences, Prosecutions, Convictions, Penalties and Forfeitures, by Virtue of an Act entitled, an Act for preventing tumultuous and riotous Assemblies, in the Places therein mentioned, and for the more speedy and effectual punishing the Rioters,*" should become a Law of this State."

Resolved, That in the Opinion of this House, the Exigencies of this State, are such as require that this House should sit To-Morrow and proceed on Business.

Therefore Resolved, That this House will sit To-Morrow and proceed on Business.

Then the House adjourned until nine oClock To-Morrow Morning.

SUNDAY, 9 o'Clock, A. M. March 22, 1778.

A Message from the Honorable the Senate, by *Alexander Webster*, Esq; with the Bill, entitled, "*An Act to regulate Elections within this State,*" That the Senate have agreed to the Amendments made thereto by this House, and have amended the said Bill accordingly. And the said Bill being read, and it appearing that the same is amended accordingly,

Ordered, That Mr. *Brinckerhoff* and Mr. *Honeywell*, carry back the Bill, entitled, "*An Act to regulate Elections within this State,*" to the Honorable the Senate.

The Bill entitled, "*An Act to expedite the Payment of Debts due to this State,*" was read the second Time and committed to a Committee of the whole House.

The Bill entitled, "*An Act to enable the Commissioners of Sequestration, for the County of Westchester, to sell certain sequestered Goods and Effects at private Sale,*" was read the second Time and committed to a Committee of the whole House.

Mr. *Williams*, according to Leave brought in a Bill, entitled, "*An Act to regulate Impresses within this State,*" which was read the first Time and ordered a second Reading.

Mr.



Mr. Livingston, according to Leave brought in a Bill, entitled, "*An Act to appoint a Treasurer of this State,*" which was read the first Time and ordered a second Reading.

Mr. Jay, according to Order brought in a Bill, entitled, "*An Act to empower the Treasurer of this State, to pay into the Treasury of the United States of America, the Sum therein mentioned,*" which was read the first Time and ordered a second Reading.

*Resolved*, That an additional Delegate be appointed to represent this State in the Congress of the United States of America, and to continue in Office, until the Expiration of the Time for which the present Delegates are appointed.

*Ordered*, That Mr. Harpur and Mr. Drake, carry a Copy of the above Resolution to the Honorable the Senate, and desire their Concurrence thereto.

Mr. Livingston, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for raising, paying and subsisting Men for the Defence of this State,*" reported, that the said Committee had gone through the said Bill, and made several Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

*Ordered*, That the said Bill and Amendments be engrossed.

The engrossed Bill entitled, "*An Act for completing the five Continental Battalions raised under the Direction of this State,*" was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Morehouse and Mr. Williams, carry the said Bill to the Honorable Senate for their Concurrence.

Mr. Whiting according to Leave brought in a Bill, entitled, "*An Act to amend an Act entitled, 'An Act against the Profanation of the Lord's Day called Sunday,'*" which was read the first time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

M O N D A Y, 9 o'Clock, A. M. March 23, 1778.

**R**ESOLVED, (if the Honorable the Senate shall concur herein,) that the Secretary of this State, cause the Acts of the Legislature of this State, to be printed with all convenient Speed, and to be distributed throughout the State, in Manner following, viz. "A Copy to be transmitted to the Supervisor of each of the Wards in the City of Albany, to the Clerk of each County, and to the Town Clerk in every Town, Manor, District and Precinct in the State, and that the Legislature will provide for the Expence thereof."

*Ordered*, That Mr. Morehouse and Mr. Williams, carry a Copy of the above Resolution to the Honorable the Senate, and desire their Concurrence thereto.

The Bill entitled, "*An Act to empower the Treasurer of this State, to pay into the Treasury of the United States of America, the Sum therein mentioned,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to amend an Act entitled, 'An Act against the Profanation of the Lord's Day called Sunday,'*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State,*" being passed, and returned to this House by the Honorable the Senate.

*Ordered*, That Mr. R. Van Rensselaer and Mr. Boerum, carry the said Bill, to the Honorable the Council of Revision.

Mr. Wickes, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to enable his Excellency the Governor, out of the Monies heretofore granted to him, to defray the Expence of paying and subsisting such of the Militia, as were in Service previous thereto,*" reported, that the said Committee had gone through the said Bill without any Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read and agreed to by the House.

*Ordered*, That the said Bill be engrossed.

Mr. Rea, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to regulate Impresses of Forage, and to facilitate the obtaining Supplies of that necessary Article, for the Army within this State,*" reported, that the said Committee had made some Progress in the said Bill, and directed him to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

The engrossed Bill entitled, "*An Act for raising, paying and subsisting, seven Hundred men for the Defence of this State,*" was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Cantine and Mr. E. Clark, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

The



The engrossed Bill entitled, "*An Act to enable his Excellency the Governor, out of the Monies heretofore granted to him, to defray the Expence of paying and subsisting such of the Militia, as were in Service previous thereto,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cantine and Mr. E. Clark, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

The Bill entitled, "*An Act to appoint a Treasurer of this State,*" was read the second Time, and committed to a Committee of the whole House.

Mr. Hoffman, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit issued by the Authority of the Provincial Congresses or Conventions of this State,*" reported, that the said Committee had made some Progress in the said Bill, and directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

A Message was received from the Honorable the Senate, by William Smith, Esq; that he was directed to deliver to this House Copies, of several Resolutions of Senate, which being read, are in the Words following, viz.

"State of New-York.

In Senate, March 23, 1778.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution directing the Secretary of this State, to cause the Acts of the Legislature of this State, to be printed and distributed in such Manner, as is by the said Resolution directed.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution for appointing an additional Delegate to represent this State in the Congress of the United States of America.

"Resolved, That this Senate will on Wednesday Morning next, proceed to the Nomination of such additional Delegate. Thereupon,

"Resolved, That this House will on Wednesday Morning next, proceed to the Nomination of an additional Delegate, to represent this State in Congress.

"Ordered, That Mr. Crane and Mr. Snyder, carry a Copy of the above Resolution, to the Honorable the Senate."

Mr. Schoonmaker, moved for Leave to bring in a Bill, entitled, "*An Act to authorize the Commitment of Persons, that may be apprehended in the Counties of Westchester or Ulster, to the Goals of the Counties of Dutchess, Orange or Albany.*"

Ordered, That Leave be given accordingly.

Mr. Schoonmaker, accordingly brought in the said Bill, which was read the first Time and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

T U E S D A Y, 9 o'Clock, A. M. March 24, 1778.

MR. BANCKER, from the Committee to whom was referred, the Petition of Egbert Dumond, desiring this House to advise him where to apply for Payment for Provisions, by him supplied [by Order of his Excellency George Clinton, Esq; as Brigadier General in the Continental Army] to the Militia of this State, and to the Continental Forces employed in Ulster County, in October last, a few Days after the Loss of Fort-Montgomery, and the burning of Kingston by the Enemy, do report that the said Egbert Dumond, ought to make Application for Payment of his Account, to the Commissary of Purchases, for the Middle Department of the Continental Army.

Resolved, That this House do agree with the said Committee, in their Report.

Mr. Hoffman, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for calling in by Loan the Bills of Credit, issued by the Authority of the Provincial Congresses or Conventions of this State,*" reported that in going through the said Bill, on reading that Paragraph of the Bill which declares it to be Felony, without Benefit of Clergy, to counterfeit or alter any of the Notes therein mentioned. Debates arose, and that on asking the Question, Whether the Committee would agree to the said Paragraph, it passed in the Affirmative by every Member present, except Mr. Whiting, who voted in the Negative.

That the Committee had gone through the said Bill, and made several Amendments thereto, and altered the Title, the altered Title being in the Words following, viz.

"*An Act for calling in by Loan, the Bills of Credit of this State,*" which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

Ordered, That the said Bill and Amendments be engrossed.



A Message was received from the Honorable the Senate, by *Dirck W. Ten Broeck, Esq;* in the Words following, viz.

"IN SENATE, *March 23, 1778.*

"*Resolved*, If the Honorable the House of Assembly concur herein, That the Secretary of this State and the Clerks of the several Counties in the same, be respectively authorized to put or cause to be put, the Records and Papers belonging to their respective Offices; into strong and light Inclosures, sufficient to exclude Rain, and to keep or cause them to be kept, and from Time to Time to be removed in the same respectively, to such Place and Places, as they shall severally think most conducive to the Security of such Records and Papers respectively.—And that the Colonel or Commanding Officer of any Regiment of Militia in this State, shall, when from Time to Time required thereto, by the said Secretary and Clerks respectively, or their respective Deputies, furnish such Guards for the said Records and Papers respectively, as the said Secretary and Clerks respectively, or their Deputies respectively shall require; And that this Senate will concur with the Honorable House of Assembly, in passing a Law, should the same be necessary to justify the carrying of this Resolution into Execution.

"The same being taken into Consideration,

"*Resolved*, That this House do concur with the Honorable the Senate, in the preceding Resolutions.

"*Ordered*, That Mr. Crane and Mr. Snyder, carry a Copy of the above Resolution of Concurrence, to the Honorable the Senate."

The Bill entitled, "*An Act to authorize the Commitment of Persons, that may be apprehended in the Counties of Westchester or Ulster, to the Gaols of the Counties of Dutchess, Orange or Albany,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to enable his Excellency the Governor, to remove certain disaffected and dangerous Persons, and Families,*" was read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. *March 25, 1778.*

THE Order of the Day being read, for the Nomination of an additional Delegate, to represent this State in Congress,

Mr. Williams moved, that this House proceed to the Nomination of an additional Delegate for this State, in the same Manner as the last appointed Delegates of this State were nominated, which was carried in the Affirmative.

The Members then proceeded to nominate, and nominated as follows, viz.

	Philip Schuyler, Esq;	William Floyd, Esq;	Richard Morris, Esq;		Philip Schuyler, Esq;	William Floyd, Esq;	Richard Morris, Esq;
Mr. Harpur, nominated	1			Mr. Cuyler,	1		
Mr. Van Horne,	1			Mr. Livingston,	1		
Mr. Bancker,	1			Mr. Swartwout,	1		
Mr. Schoonmaker,		1		Mr. R. Van Rensselaer,	1		
Mr. Whiting,			1	Mr. Dunscomb,	1		
Mr. Wickes,		1		Mr. Rowan,		1	
Mr. Jay,	1			Mr. Crane,		1	
Mr. Van Houten,		1		Mr. Brasher,		1	
Mr. Snyder,		1		Mr. Honeywell,		1	
Mr. Gelston,		1		Mr. L'Hommedieu,	1		
Mr. Graham,		1		Mr. Boerum,		1	
Mr. K. Van Rensselaer,	1			Mr. Cuyper,		1	
Mr. Hoffman,	1			Mr. Rea,		1	
Mr. Drake,		1		Mr. Wisner,			1
Mr. Lott,	1			Mr. Brinckerhoff,			1
Mr. Benson,	1			Mr. Morehouse,	1		
Mr. E. Clark,	1			Mr. Birdsal,			1
Mr. Williams,		1		Mr. Lawrence,	1		

The Clerk then summed up the Nominations of the several Members; and the Nominations for *Philip Schuyler* and *William Floyd, Esqrs;* appearing to be equal in Number. Mr. Speaker nominated *Philip Schuyler, Esq;*

Thereupon Mr. Benson moved for a Resolution in the Words following, viz.

"*Resolved*, that the Honorable *Philip Schuyler, Esq;* be, and he hereby is nominated an additional Delegate, to represent this State in the Congress of the United States of America,"—Debates arose thereon, and the Question being put, the House divided in Manner following, viz.

For



## For the Affirmative.

Mr. Harpur,	Mr. Whiting,	Mr. Hoffman,	Mr. E. Clark,	Mr. Swartwout,	Mr. L'Houmedieu,
Mr. Van Horne,	Mr. Jay,	Mr. Lott,	Mr. Cuyler,	Mr. R. Van Rensselaer,	Mr. Morehouse,
Mr. Bancker,	Mr. K. Van Rensselaer,	Mr. Benson,	Mr. Livingston,	Mr. Duncomb,	Mr. Lawrence.

## For the Negative.

Mr. Schoonmaker,	Mr. Snyder,	Mr. Drake,	Mr. Crane,	Mr. Boerum,	Mr. Wisner,
Mr. Wickes,	Mr. Gelston,	Mr. Williams,	Mr. Brasher,	Mr. Cuyper,	Mr. Brinckerhoff,
Mr. Van Houten,	Mr. Graham,	Mr. Rowan,	Mr. Honeywell,	Mr. Rea,	Mr. Birdsal.

The House being equally divided on the said Question, Mr. Speaker declared himself for the Affirmative. Therefore,

*Resolved*, That the Honorable Philip Schuyler, Esq; be, and he hereby is nominated an additional Delegate, to represent this State in the Congress of the United States of America, to continue in Office until the Expiration of the Time for which the present Delegates are appointed.

A Message was received from the Honorable the Senate, by Richard Morris, Esq; that the Senate, will meet this House at the Assembly Chamber this Day, at such Hour as this House shall appoint, to compare the respective Nomination of the Senate and Assembly, of an additional Delegate to represent this State in the Congress of the United States of America.

*Resolved*, That this House will meet the Honorable the Senate, in the Assembly Chamber, at one of the Clock in the Afternoon of this Day, to compare the respective Nominations of both Houses, of an additional Delegate to represent this State in the Congress of the United States of America.

*Ordered*, That Mr. Swartwout and Mr. Lott, wait on the Honorable the Senate with a Copy of the above Resolution.

The Honorable the Senate accordingly met this House in the Assembly Chamber—Mr. Speaker left the Chair, and with the House attended the Honorable the Senate, to compare the respective Nominations of both Houses, of an additional Delegate to represent this State in the Congress of the United States of America—And the said Nominations being compared, Mr. Speaker resumed the Chair and reported to the House, that the House had met, with the Honorable the Senate, and compared the respective Nominations of the Senate and Assembly, and that the same Person was nominated by each House for that Purpose.

A Copy of the Nomination of the Honorable the Senate was then read, and is in the Words following, viz.

*Resolved*, That the Honorable Philip Schuyler, Esq; be, and he is nominated by this Senate, to be an additional Delegate to represent this State in the Congress of the United States of America.

*Resolved*, That the Honorable Philip Schuyler, Esq; is nominated by the Senate and Assembly, and is therefore constitutionally appointed an additional Delegate, to represent this State in the Congress of the United States of America; and to continue in Office until the Expiration of the Time for which the present Delegates are appointed."

Mr. Rea from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to regulate Impresses of Forage, and to facilitate the obtaining Supplies of that necessary Article, for the Army within this State,*" reported, that the said Committee had gone through the said Bill, altered the Title, made several Amendments and added several Clauses thereto; That the altered Title is in the Words following, viz. "*An Act for regulating Impresses of Forage and Carriages, and for billeting Troops within this State,*" which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill with the Amendments and Clauses in at the Table, where the same were again read and agreed to by the House.

*Ordered*, That the said Bill and Amendments and Clauses be engrossed.

A Message was received from the Honorable the Council of Revision, by the Chief Justice, that it does not appear improper to the said Council, that the Bill entitled, "*An Act exempting Persons from Drafts in the Militia, who shall procure others to enlist in the Continental Regiments, raised under the Direction of this State, and for giving Relief in Cases where two Persons have jointly procured a Man to enlist,*" should become a Law of this State.

Another Message was also received from the said Council of Revision, by the Chief Justice, that he is directed by the said Council, to deliver a Copy of their Objections signed by his Excellency the Governor, to the Bill entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State.*"

The Objections of the Council of Revision to the said Bill were then read, and are in the Words following, viz.

"Objections of the Council of Revision, to the Bill, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State,*" becoming a Law of this State.

"This Council object to the said Bill;

"First.



"*First.* Because the said Bill, after imposing a Tax of a Penny Half Penny in the Pound, on all personal Property, proceeds to assess on all Traders and Manufacturers in this State, a partial Tax of Fifty Pounds on every Thousand Pounds, which they may respectively have gained in their said Occupations, since the 12th Day of September, 1776, over and above the said general Tax of one Penny Half-Penny in the Pound, to be discovered by their Oaths respectively.

"This Council are of Opinion, that an equal Right to Life, Liberty and Property, is a fundamental Principle in all free Societies and States, and is intended to be secured to the People of this State, by the Constitution thereof, and therefore that no Member of this State, can with Justice be constrained to contribute more to the Support thereof, than in like Proportion with the other Citizens, according to their respective Estates and Abilities; Wherefore this Council consider the Clause in Question, as being inconsistent with the Spirit of the Constitution.

"*Secondly.* Because in the Opinion of this Council, the public Good requires that Commerce and Manufactures be encouraged, and regulated, and that the Clause in Question manifestly tends to oppress, discourage and expel all Persons concerned in either; which to this Council appears the more extraordinary, as divers of the said Manufacturies were established by public Bounties, and Encouragement given as well by the Congress, as by this State.

"*Thirdly.* Because this Council can conceive of no possible Reason or Pretence, for this unprecedented and odious Discrimination [none being assigned by the Bill] unless perhaps a Supposition, that the said Traders and Manufacturers have unduly acquired the said Gains; should this have been the Principle of the Bill, the Council still think it difficult to suppose, that the Legislature should view every Trader and Manufacturer in this State, as being under that Predicament, and not presume that any of them have in so long a Space of Time, fairly acquired One Thousand Pounds or more: Besides this Council deem it repugnant to every Idea of Justice, thus without any open Charge or Accusation of Offence, and without Trial, indiscriminately to subject numerous Bodies of free Citizens, distinguished only by the Appellation of Traders or Manufacturers, to large Penalties, not incurred on Conviction of Disobedience to any known Law, and couched under the specious Name of a Tax.

"*Fourthly.* Because, the Bill directs that the Tax thereby imposed on appropriated unimproved Lands, shall be assessed by such three of the Supervisors in each County, as a Majority of them shall nominate: But the Constitution of this State, doth expressly ordain, "That Assessors and all other Officers, theretofore eligible by the People, shall always continue to be so eligible, in the Manner directed by the then present or future Acts of the Legislature." Wherefore this Council are of Opinion, that altho' the Legislature may constitutionally direct the Manner in which the People at large shall exercise this important Right, yet that the Legislature hath no Authority to divest them of it and transfer it to the Supervisors, nor can the Council perceive any Objection to this Business being done by the ordinary Assessors, especially as all unimproved Lands, which are not now comprehended in any Precinct or District, may be annexed thereto.

Poughkeepsie, March 25, 1778.

GEO. CLINTON."

Mr. Crane, from the Committee of the whole House, to whom was referred, the following Bills, reported that the Committee had gone through the Bill, entitled, "*An Act to enable his Excellency the Governor, to remove certain disaffected and dangerous Persons and Families,*" made some Amendments thereto and altered the Title, the altered Title being in the Words following, viz. "*An Act to enable the Person, administering the Government of this State, for the Time being, to remove certain disaffected and dangerous Persons and Families.*"

And that the said Committee had gone through the Bill, entitled, "*An Act to authorize the Commitment of Persons, that may be apprehended in the Counties of Westchester or Ulster, to the Gaols of the Counties of Dutchess, Orange or Albany,*" without any Amendment.

And that the said Committee had gone through the Bill, entitled, "*An Act to enable the Commissioners of Sequestration, for the County of Westchester, to sell certain sequestered Goods and Effects at private Sale,*" made several Amendments thereto and altered the Title, that the altered Title is in the Words following, viz.

*An Act to enable the Commissioners of Sequestration, for the Counties of Westchester and Orange, to sell certain sequestered Goods and Effects at private Sale, and for other Purposes therein mentioned.*"

All which they had directed him to report to the House, and he read the Report in his Place, and delivered the same with the several Bills and the respective Amendments in at the Table, where the same were respectively again read and agreed to by the House.

Ordered, That the said Bills and Amendments be respectively engrossed.

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY,



THURSDAY, 9 o'Clock, A. M. March 26, 1778.

THE engrossed Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit of this State,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to enable the Person administering the Government of this State, for the Time being, to remove certain dangerous and disaffected Persons and Families,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to authorize the Commitment of Persons, that may be apprehended in the Counties of Westchester or Ulster, to the Gaols of the Counties of Dutchess, Orange or Albany,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill, entitled, "*An Act to enable the Commissioners of Sequestration, for the Counties of Westchester and Orange, to sell certain sequestered Goods and Effects at private Sale, and for other Purposes therein mentioned,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. L'Homedieu and Mr. Benson, carry the said four Bills to the Honorable the Senate, and request their Concurrence to each of the said Bills respectively.

A Message was received from the Honorable the Senate, by Arthur Parks, Esq; that the Senate have passed the Bill, entitled, "*An Act for raising, paying and subsisting seven Hundred Men, for the Defence of this State,*" with Amendments. One of the said Amendments, being an Alteration of the Title, the altered Title is in the Words following, viz. "*An Act for raising Seven Hundred Men, to be employed in the Defence of this State.*"

The Amendments to the said Bill being severally read and considered, were approved of and the said Bill amended accordingly.

Ordered, That Mr. Birdfall and Mr. Taylor, carry back to the Honorable the Senate, the Bill, entitled, "*An Act for raising seven Hundred Men, to be employed in the Defence of this State,*" and inform them that this House have agreed to the Amendments made by the Senate to the said Bill, and that the said Bill is amended accordingly.

Mr. Williams, from the Committee of the whole House, to whom was referred the following Bills, reported that the said Committee had gone through the Bill, entitled, "*An Act to appoint a Treasurer for this State,*" made several Amendments and added a Clause thereto.

And also that in going through the said Bill, entitled, "*An Act to remove Doubts concerning the Powers of the last Convention and Council of Safety of this State, and to indemnify those who have acted under their Authority respectively,*" the first enacting Clause being read, is in the Words following, viz. That all and every Order, and Resolution of the said Convention or Council of Safety, except such of their said Orders and Resolutions, as by the Legislature of this State have heretofore been confirmed or repealed, be and they are hereby ratified and confirmed, and declared to be good and valid to all Intents and Purposes whatever. That Debates arose on the said Clause, and on asking the Question, Whether the Committee would agree to the same, it passed in the Affirmative, in Manner following, viz.

## For the Affirmative.

Mr. Cuyper,	Mr. Lawrence,	Mr. Dunscomb,	Mr. Wisner,	Mr. Drake,
Mr. Morehouse,	Mr. Snyder,	Mr. Crane,	Mr. L'Homedieu,	Mr. Harpur,
Mr. K. Van Rensselaer,	Mr. Honeywell,	Mr. Brasher,	Mr. Whiting,	Mr. Van Houten,
Mr. Schoonmaker,	Mr. Swartwout,	Mr. Gelston,	Mr. E. Clark,	Mr. Graham,
Mr. Bancker,	Mr. Rowan,	Mr. Cantine,	Mr. Rea,	Mr. Boerum,

## For the Negative.

Mr. Livingston,	Mr. Lott,	Mr. Tayler,	Mr. Hoffman,	Mr. Speaker,	Mr. R. Van Rensselaer.
Mr. Wickes,	Mr. Benson,	Mr. Jay,	Mr. Van Horne,	Mr. Birdfall,	

That the Committee had gone through the said Bill, and made some Amendments thereto.

And also that the said Committee had gone through the Bill, entitled, "*An Act to enable the Courts of Law and Equity, and the Judges and Magistrates of this State, to dispense with the usual Mode of administering Oaths, in favour of Persons who have Scruples about the same,*" made several Amendments thereto, and altered the Title. That the Title as altered, is in the Words following, viz.

"*An Act to dispense with the usual Mode of administering Oaths, in favour of Persons, having conscientious Scruples respecting the same.*"

All which they had directed him to report to the House, and he read the Report in his Place, and delivered the same with the several Bills and the Amendments thereto, respectively in at the Table, where the same were severally again read, and agreed to by the House.

Ordered, That the said Bills and Amendments be respectively engrossed.



Mr. Honeywell, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for altering the Judgments heretofore by Law prescribed, against Persons found guilty of High Treason, and Petty Treason; and those who being arraigned for Treason or Felony, stand mute or refuse to plead,*" reported, that the said Committee had gone through the Bill without any Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read and agreed to by the House.

Ordered, That the said Bill be engrossed.

A Message was received from the Honorable the Senate, by Arthur Parks, Esq; with the Bill entitled, "*An Act for raising seven Hundred Men, to be employed in the Defence of this State,*" that the Senate have passed the said Bill.

Ordered, That Mr. Bancker and Mr. Taylor, carry the said Bill to the Honorable the Council of Revision.

A Message was received from the Honorable the Senate, by Jonathan Lawrence, Esq; that the Senate have passed the two following Bills, viz. The Bill entitled, "*An Act to regulate the Wages of Mechanics and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State; and for other Purposes therein mentioned;*" and also the Bill entitled, "*An Act for regulating the Militia of the State of New-York,*" and request the Concurrence of this House to each of the said Bills respectively.

The said Bills were respectively read the first Time, and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y 9 o'Clock, A. M. March 27, 1778.

A Message was received from the Honorable the Senate, by Abraham Yates, Esq; that the Senate have passed the Bill, entitled, "*An Act to enable his Excellency the Governor, out of the Monies heretofore granted to him, to defray the Expence of paying and subsisting such of the Militia, as were in Service previous thereto,*" without any Amendment.

Ordered, That Mr. Bancker and Mr. Tayler, carry the said Bill to the Honorable the Council of Revision.

Another Message was also received by Mr. Yates, that the Honorable the Senate have passed a Bill, entitled, "*An Act to amend an Act, entitled, An Act to remove Doubts concerning the Corporation of the City of Albany,*" and desire the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

The engrossed Bill entitled, "*An Act for regulating Impresses of Forage, and Carriages, and for billeting Troops within this State,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill entitled, "*An Act to remove Doubts concerning the Powers of the last Convention and Council of Safety of this State, and to indemnify those who have acted under their Authority respectively,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill entitled, "*An Act to dispense with the usual Mode of administering Oaths, in favour of Persons having conscientious Scruples respecting the same,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill entitled, "*An Act for altering the Judgments heretofore by Law prescribed, against Persons found guilty of High Treason and Petty Treason; and those who being arraigned for Treason or Felony, stand mute or refuse to plead,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Harpur and Mr. Van Horne, carry the said four last mentioned Bills to the Honorable the Senate, and desire their Concurrence to each of the said Bills respectively.

The Bill entitled, "*An Act to regulate the Wages of Mechanics and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State; and for other Purposes therein mentioned,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act for regulating the Militia of the State of New-York,*" was read the second Time, and committed to a Committee of the whole House.

A Petition of Solomon Simson, relative to certain Cannon and other Articles therein mentioned, as having been taken into public Service, was read, and ordered to be committed to Mr. Bancker and Mr. Livingston.

A Petition of Catharine Stoutenburgh, praying Payment for certain Wheat therein mentioned, was read, and committed to the Members of Dutchess County.

The House then proceeded to the Re-consideration of the Bill, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State.*"

The



The said Bill, together with the Objections of the Honorable the Council of Revision thereto, were read by Paragraphs and considered.

Mr. Speaker then put the Question, Whether the House notwithstanding the said Objections, do agree to pass the same—Debates arose thereon, and it passed in the Affirmative in Manner following, viz.

## For the Affirmative.

Mr. Brasher,	Mr. Snyder,	Mr. Crane,	Mr. E. Clark,	Mr. Graham,	Mr. Hoffman,
Mr. Morehouse,	Mr. Honeywell,	Mr. Gelston,	Mr. Rea,	Mr. Boerum,	Mr. Van Horne,
Mr. Schoonmaker,	Mr. Swartwout,	Mr. Cantine,	Mr. Drake,	Mr. Wickes,	Mr. Williams,
Mr. Bancker,	Mr. Rowan,	Mr. Wisner,	Mr. Harpur,	Mr. Lott,	
Mr. Lawrence,	Mr. Dunscomb,	Mr. L'Hommedieu,	Mr. Van Houten,	Mr. Benson,	

## For the Negative.

Mr. Livingston,	Mr. K. Van Rensselaer,	Mr. Cuyper,	Mr. R. Van Rensselaer,
Mr. Tayler,	Mr. Jay,	Mr. Whiting,	

The same being agreed to be passed, by more than two Thirds of the House.

*Resolved*, That the Bill entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State*," (notwithstanding the Objections of the Honorable the Council of Revision to the same) be a Law of this State.

*Ordered*, That Mr. Cantine and Mr. Graham, carry the said Bill, together with the said Objections, and a Copy of the above Resolution, to the Honorable the Senate.

A Message was received from the Honorable the Senate, by *William Floyd*, Esq; in the Words following, viz.

"*Resolved*, That the Bill, entitled, "*An Act to regulate Elections, within this State*," (notwithstanding the Objections of the Council of Revision to the same) be a Law of this State.

"*Ordered*, That Mr. Floyd, carry the said Bill together with the said Objections, and a Copy of the foregoing Resolution, to the Honorable the House of Assembly."

The House then immediately proceeded to re-consider the said Bill, and the same together with the Objections of the Honorable the Council of Revision thereto, being by Paragraphs read and considered, Mr. Speaker then put the Question, Whether the House notwithstanding the said Objections do agree to pass the said Bill. Debates arose thereon and it was carried in the Affirmative, in Manner following, viz.

## For the Affirmative.

Mr. Brasher,	Mr. Snyder,	Mr. Crane,	Mr. K. Van Rensselaer,	Mr. Harpur,	Mr. Wickes,
Mr. Morehouse,	Mr. Honeywell,	Mr. Gelston,	Mr. L'Hommedieu,	Mr. Van Houten,	Mr. Lott,
Mr. Schoonmaker,	Mr. Swartwout,	Mr. Cantine,	Mr. E. Clark,	Mr. Whiting,	Mr. Benson,
Mr. Bancker,	Mr. Rowan,	Mr. Wisner,	Mr. Rea,	Mr. Graham,	Mr. Van Horne,
Mr. Lawrence,	Mr. Dunscomb,	Mr. Cuyper,	Mr. Drake,	Mr. Boerum,	Mr. Williams,

## For the Negative.

Mr. R. Van Rensselaer,	Mr. Tayler,	Mr. Jay,	Mr. Livingston,	Mr. Birdfall,	Mr. Hoffman,
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The same Bill being approved of by more than two Thirds of the Members present.

*Resolved*, That the said Bill, entitled, "*An Act to regulate Elections within this State*," (notwithstanding the Objections of the Honorable the Council of Revision to the same) be a Law of this State.

*Ordered*, That Mr. Tredwell and Mr. Drake, carry back the said Bill and a Copy of the above Resolution, to the Honorable the Senate.

Mr. L'Hommedieu, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to empower the Treasurer of this State, to pay into the Treasury of the United States of America, the Sum therein mentioned*," reported, that the said Committee had gone through the said Bill and made some Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

*Ordered*, That the said Bill and Amendments be engrossed.

Mr. L'Hommedieu, from the said Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to amend an Act entitled, an Act against the Profanation of the Lord's Day, called Sunday*," farther reported, that the said Committee had made some Provisions in the said Bill, and had directed him to move for Leave to sit again.

*Ordered*, That the said Committee have Leave to sit again.

Mr. Benson, moved for Leave to bring in a Bill, entitled, "*An Act appointing a Place for the Meeting of the Legislature, of this State*."

*Ordered*, That Leave be given accordingly.

Mr. Benson, accordingly brought in the said Bill, which was read the first Time and ordered a second Reading.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY,



SATURDAY, 9 o'Clock A. M. March 28, 1778.

A Message from his Excellency the Governor to the Legislature, delivered to the Honorable the Senate, and a Copy thereof from thence transmitted to this House, was read, and is in the Words following, viz.

"Gentlemen,

"You will herewith receive Copies of two Letters I have lately received, the one from Major General Schuyler, the other from Colonel Williams.

"The subject Matter of both these Letters is important, and in my Opinion, merits the Attention of the Legislature.

Poughkeepsie, March 26, 1778.

GEO. CLINTON."

Copies of the said two Letters referred to in his Excellency's said Message, were also read.

Resolved, That his Excellency's said Message be committed to a Committee.

Ordered, That Mr. Benson, Mr. Schoonmaker and Mr. Tayler, be a Committee for that Purpose, and that they report thereon with all convenient Speed.

A Message received from the Honorable the Senate, by Jonathan Lawrence, Esq; was read, and is in the Words following, viz.

"State of New-York.

In Senate, March 28, 1778.

"Resolved That the Bill entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State,*" (notwithstanding the Objections of the Honorable the Council of Revision thereto) be a Law of this State.

"Ordered, That Mr. Lawrence carry back the Bill, together with a Copy of the foregoing Resolution, to the Honorable the Assembly.

A true Copy from the Minutes.

ROBERT BENSON, Clerk."

The engrossed Bill entitled, "*An Act to appoint a Treasurer for this State,*" was read the third Time.

Resolved, That the Bill do pass.

The engrossed Bill entitled, "*An Act to empower the Treasurer of this State to pay into the Treasury of the United States of America, the Sum therein mentioned,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Dunscomb and Mr. Williams, carry the two last mentioned Bills to the Honorable the Senate, and desire their Concurrence thereto respectively.

Mr. Whiting, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to regulate the Wages of Mechanics and Labourers, the Prices of Goods and Commodities, and Charges of Innholders within this State; and for other Purposes therein mentioned,*" reported, that the said Committee had gone through the said Bill and made several Amendments thereto, which he was directed to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read and agreed to by the House.

Resolved, That the Bill as amended, do pass.

Ordered, That Mr. Dunscomb and Mr. Williams, carry back the said Bill to the Honorable the Senate, and inform them that this House have passed the same with the Amendments therewith delivered.

The Bill entitled, "*An Act to amend an Act, entitled, An Act to remove Doubts concerning the Corporation of the City of Albany,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act appointing a Place for the Meeting of the Legislature of this State,*" was read the second Time, and committed to a Committee of the whole House.

Mr. Harpur moved for Leave to bring in a Bill, entitled, "*An Act for making further Provision for the Poor, late of New-York.*"

Ordered, That Leave be given accordingly.

Mr. Harpur accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Letter from Peter Mead, Moses G. Palmer and John Mead, Esqrs, and others, dated at Greenwich, on the twenty-first Instant, relative to unknown and evil disposed Persons, in this State and Connecticut, who by indirect Means, supply the Enemy with Provisions, was read.

Ordered, That the said Letter be committed to a Committee, and that Mr. Benson, Mr. Drake and Mr. Honeywell, be a Committee for that Purpose.

Mr. Wisner, from the Committee of the whole House, to whom was referred that Part of the Speech, of his Excellency the Governor, on the tenth Day of September last, recommending, that Provision should be made for the Support of Government, reported that he was directed by the said Committee, to make the following Report to the House, viz. "That Mr. Williams made a Motion, in the Words following, viz.

"I



"I move for a Resolution, that it is the Opinion of this Committee, that there be allowed to his Excellency the Governor, for administering the Government of this State, from the 30th Day of July last, until the first Monday in July next, at and after the Rate of Three Thousand Pounds per Annum.—That Debates arose thereon, and the Question being put, it passed in the Negative by every Member present, except Mr. Williams, Mr. Speaker, Mr. Jay and Mr. Lawrence, who voted in the Affirmative.

That a Motion was then made, that there be allowed to his Excellency the Governor, for administering the Government of this State, from and to the Time aforesaid, at and after the Rate of Two Thousand Pounds per Annum.—That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, viz.

## For the Affirmative.

Mr. Bancker,	Mr. R. Van Rensselaer,	Mr. Livingston,	Mr. Drake,	Mr. Boerum,	Mr. Van Horne,
Mr. Harpur,	Mr. Cuyler,	Mr. Swartwout,	Mr. Honeywell,	Mr. Hathorn,	Mr. E. Clark,
Mr. Jay,	Mr. Whiting,	Mr. Brinckerhoff,	Mr. Lawrence,	Mr. Cuyper,	Mr. Rowan,
Mr. Dunscomb,	Mr. Wickes,	Mr. Hoffman,	Mr. Williams,	Mr. Van Houten,	Mr. K. Van Rensselaer,
Mr. Speaker,	Mr. Benson,				

## For the Negative.

Mr. Brasher,	Mr. Mills,	Mr. Gelston,	Mr. Cantine,	Mr. Rea,
Mr. L'Hommiedieu,	Mr. Lott,	Mr. Schoonmaker,	Mr. Snyder,	Mr. Graham,

Therefore Resolved, That it is the Opinion of this Committee, that there be allowed to his Excellency the Governor, (or to the Person administering the Government of this State, for the Time being) for administering the Government of this State, from the 30th Day of July last, until the first Monday in July next, at and after the Rate of Two Thousand Pounds per Annum.

That the Committee had then come to the several following Resolutions, viz.

"Resolved, That it is the Opinion of this Committee, that there be allowed to each of the Delegates of this State, in Congress, while actually employed in that Service, seven Dollars per Day.

"Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable Robert R. Livingston, Esq; Chancellor of this State, for his Services in that Station, from the 22d. Day of May last, until the first Monday in July next, exclusive of the Time intervening between the 20th Day of September and the 17th Day of October last, at and after the Rate of Three Hundred Pounds, per Annum.

"Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable John Jay, Esq; Chief Justice of this State, for his Services in that Station, from the said 22d Day of May last, until the first Monday in July next, exclusive of such Time as aforesaid, at and after the Rate of Three Hundred Pounds per Annum.

"Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable Robert Yates, Esq; one of the Puisse Justices of the said Supreme Court of this State, for his Services in that Station, from the 19th Day of June last, until the first Monday in July next, exclusive of such Time as aforesaid, at and after the Rate of Two Hundred Pounds per Annum.

"Resolved, That it is the Opinion of this Committee, that there be allowed to the Honorable John Sloss Hobart, Esq; one other of the Puisse Justices of the said Supreme Court, for his Services in that Station, from the 5th Day of June last, until the first Monday in July next, exclusive of such Time as aforesaid, at and after the Rate of Two Hundred Pounds, per Annum."

That a Motion was then made by Mr. Benson, in the Words following, viz.

"I move, that there be allowed to each of the Justices of the Supreme Court, while attending on Courts of Oyer and Terminer and General Gaol Delivery in the respective Counties, the Sum of five Dollars per Day, exclusive of the above Salaries, to them respectively."

That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, viz.

## For the Affirmative.

Mr. R. Van Rensselaer,	Mr. Swartwout,	Mr. Schoonmaker,	Mr. Van Horne,	Mr. Mills,	Mr. Van Houten,
Mr. E. Clark,	Mr. Benson,	Mr. Cuyler,	Mr. Hathorn,	Mr. L'Hommiedieu,	Mr. Hoffman,
Mr. Williams,	Mr. Rowan,	Mr. Harpur,	Mr. Livingston,	Mr. Honeywell,	Mr. Lawrence,
Mr. Gelston,	Mr. Bancker,	Mr. K. Van Rensselaer,	Mr. Boerum,	Mr. Speaker,	Mr. Graham,

## For the Negative.

Mr. Wickes,	Mr. Drake,	Mr. Whiting,	Mr. Rea,	Mr. Brinckerhoff,	Mr. Dunscomb,
Mr. Snyder,	Mr. Cuyper,	Mr. Cantine,	Mr. Lott,	Mr. Brasher,	

Resolved therefore, That it is the Opinion of this Committee, that there be allowed to each of the Justices of the Supreme Court, while attending on Courts of Oyer and Terminer,



miner, and General Gaol Delivery in the respective Counties, the Sum of five Dollars per Day, exclusive of the above Salaries, to them respectively.

That Mr. *Benson* then made a Motion in the Words following, *viz.*

"I move, that there be allowed to each of the Members of the Senate and Assembly, the Sum of Sixteen Shillings per Day, for their Services in their respective Stations."

That Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, *viz.*

For the Affirmative.

Mr. Benson,  
Mr. Van Horne,  
Mr. Schoonmaker,  
Mr. Snyder,

Mr. K. Van Rensselaer,  
Mr. Cuyler,  
Mr. Bancker,  
Mr. Gelston,

Mr. Rowan,  
Mr. E. Clark,  
Mr. Harpur,  
Mr. Williams,

Mr. Lott,  
Mr. Graham,  
Mr. Mills,  
Mr. Dunscomb,

Mr. Boerum,  
Mr. Honeywell,  
Mr. Lawrence,  
Mr. Whiting,

For the Negative.

Mr. Speaker,  
Mr. R. Van Rensselaer,  
Mr. Swartwout,  
Mr. Wickes,

Mr. Hathorn,  
Mr. Cuyper,  
Mr. Livingston,  
Mr. Jay,

Mr. Van Houten,  
Mr. Brinckerhoff,  
Mr. Drake,  
Mr. Brashear,

Mr. L'Houmedieu,  
Mr. Rea,  
Mr. Hoffman,  
Mr. Cantine.

*Resolved* therefore, That it is the Opinion of this Committee, that there be allowed to each of the Members of the Senate and Assembly, the Sum of Sixteen Shillings per Day, for their Services in their respective Stations.

That the Committee then came to the following Resolutions, *viz.*

"*Resolved*, That it is the Opinion of this Committee, that there be allowed to *John Morin Scott*, Esq; Secretary of the State, for attending at the Sessions of the Legislature of this State, for the Purpose of receiving Laws, and for recording the same; and for his Services as Clerk to the Council of Appointment, from the twenty-sixth Day of March Instant, until the first Monday in July next, at and after the Rate of Sixty Pounds per Annum.

"*Resolved*, That it is the Opinion of this Committee, that there be allowed unto *Gerard Bancker*, Esq; Treasurer of this State, or to the Treasurer of this State for the Time being, from the first Monday in July next, at and after the Rate of Three Hundred Pounds per Annum.

"*Resolved*, That it is the Opinion of the Committee, that there be allowed to *Robert Benson*, Esq; Clerk of the Senate, for his Services in that Station, Twenty Shillings per Day.

"*Resolved*, That it is the Opinion of said Committee, that there be allowed to the said *Robert Benson*, for sundry Disbursements by him made for the Use of the Senate, the Sum of

"*Resolved*, That it is the Opinion of the said Committee, that there be allowed to *John McKesson*, Esq; Clerk of the Assembly, for his Services in that Station, Twenty Shillings per Day.

"*Resolved*, That it is the Opinion of this Committee, that there be allowed to the said *John McKesson*, for sundry Disbursements by him made for the Use of the Assembly, the Sum of

"*Resolved*, That it is the Opinion of this Committee, that there be allowed to *Victor Bicker*, Door-keeper of the Senate, and to *Richard Ten Eyck*, Door-keeper of the Assembly respectively, for their Services in their respective Stations, Sixteen Shillings per Day each.

Which Report he read in his Place, and delivered it with the said Resolutions in the Table, where the same were again read, and agreed to by the House.

*Ordered*, That a Bill be brought in, pursuant to the said Resolutions; and that Mr. *Benson* and Mr. *R. Van Rensselaer*, prepare and bring in the same.

Then the House adjourned until nine o'Clock To-Morrow Morning.

SUNDAY, 9 o'Clock, A. M. March 29, 1778.

A Message was received from the Honorable the Senate, by *Alexander Webster*, Esq; that the Senate have passed the two following Bills, with the Amendments to the same respectively, therewith delivered, *viz.*

The Bill entitled, "*An Act for completing the five Continental Battalions, raised under the Direction of this State.*" And,

The Bill entitled, "*An Act to authorize the Commitment of Persons, that may be apprehended in the Counties of Westchester or Ulster, to the Gaols of the Counties of Dutchess, Orange or Albany.*" The Amendments made to the said two Bills respectively, were read and considered, and agreed to by the House.

*Ordered*, That the said Bills be amended accordingly.

*Ordered*, That Mr. *Brinckerhoff* and Mr. *Boerum*, carry back the said two Bills to the Honorable the Senate, and inform them that this House have agreed to the Amendments to the said two Bills, and caused the said Bills to be amended accordingly.



A Message was also received from the Senate, by Mr. *Webster*, that the Senate have agreed to the Amendments made by this House, to the Bill, entitled, "*An Act to regulate the Wages of Mechanics and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" and amended the said Bill accordingly.

The said Bill being read, and it appearing that the Amendments are truly made therein.

Ordered, That Mr. *Brinckerhoff* and Mr. *Boerum*, carry back the said Bill to the Honorable the Senate.

Mr. *Benson* according to Order, brought in a Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government,*" which was read the first Time, and ordered a second Reading.

Mr. *Duncomb*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for regulating the Militia of this State,*" reported that the said Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Mr. *Van Houten*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act appointing a Place for the Meeting of the Legislature, of this State,*" reported, that the said Committee had gone through the said Bill, made several Amendments thereto and altered the Title; that the altered Title, is in the Words following, viz. "*An Act authorizing the Person administering the Government of this State, for the Time being, to appoint a Place for the Meeting of the Legislature;*" which Report he read in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill be engrossed.

Then the House adjourned until nine o'Clock To-Morrow Morning.

M O N D A Y, 9 o'Clock, A. M. March 30, 1778.

THE engrossed Bill, entitled, "*An Act authorizing the Person, administering the Government of this State, for the Time being, to appoint a Place for the Meeting of the Legislature,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Brinckerhoff* and Mr. *Boerum*, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

The several following Messages, were received from the Honorable the Senate, by *Zephaniab Platt*, Esq; viz.

"First. That the Senate have resolved that the Bill, entitled, "*An Act to enable the Commissioners of Sequestration, for the Counties of Westchester and Orange, to sell certain sequestered Goods and Effects at private Sale, and for other Purposes therein mentioned,*" be rejected.

"Second. That the Senate have passed the Bill, entitled, "*An Act for altering the Judgments heretofore by Law prescribed, against Persons found guilty of High Treason and Petty Treason; and those who being arraigned for Treason or Felony, stand mute or refuse to plead,*" without any Amendment.

"Ordered, That Mr. *L'Homedieu* and Mr. *K. Van Rensselaer*, carry the said Bill to the Honorable the Council of Revision.

"Third. That the Senate have passed the Bill, entitled, "*An Act to dispense with the usual Mode of administering Oaths, in favour of Persons having conscientious Scruples respecting the same,*" with an Amendment therewith delivered."

The Amendment being agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. *Brinckerhoff* and Mr. *Boerum*, inform the Honorable the Senate that this House have agreed to the Amendment to the said Bill, and amended the said Bill accordingly.

Another Message was received from the Honorable Senate, by Mr. *Platt*, with the Bill entitled, "*An Act to enable the Person administering the Government of this State, for the Time being, to remove certain dangerous and disaffected Persons and Families,*" That the Senate have passed the said Bill, with three Amendments therewith delivered.

The Bill with the Amendments being read, and the said Amendments separately considered.

Resolved, That this House do not concur with the Senate, in their first and second Amendments to the said Bill.

Resolved, That this House do concur with the Honorable the Senate, in their last Amendment to the said Bill.

Ordered, That Mr. *Brinckerhoff* and Mr. *Boerum*, wait on the Honorable the Senate with the said Bill, and inform them of the two last Resolutions.



A Petition of the Committee of *Westchester*, signed by *Abraham Legget*, their Chairman, praying Provision to be made for the Pay and Support of certain Guards, employed by the said Committee, at certain Pay therein mentioned, was read.

Ordered, That the said Petition be referred to a Committee.—And that Mr. Jay, Mr. Graham and Mr. Drake, be a Committee for that Purpose.

Mr. *Livingston*, moved for Leave to bring in a Bill, entitled, “*An Act to prevent the spreading of the Small Pox, within this State.*”

Ordered, That Leave be given accordingly,

Mr. *Livingston*, accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

The Bill entitled, “*An Act for the Payment of the Salaries of the several Officers of Government,*” was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, “*An Act for making further Provision for the Poor, late of New-York,*” was read the second Time, and committed to a Committee of the whole House.

Ordered, That Mr. *L’Hommedieu* and Mr. *K. Van Rensselaer*, carry the following Bills to the Honorable the Council of Revision, viz.

The Bill entitled, “*An Act for completing the five Continental Battalions raised under the Direction of this State.*”

The Bill entitled, “*An Act to authorize the Commitment of Persons, that may be apprehended in the Counties of Westchester or Ulster, to the Gaols of the Counties of Dutchess, Orange or Albany;*” And,

The Bill entitled, “*An Act to dispense with the usual Mode of administering Oaths, in favour of Persons having conscientious Scruples respecting the same.*”

Mr. *Duncomb*, from the Committee of the whole House, to whom was referred the Bill, entitled, “*An Act for regulating the Militia of the State of New-York,*” reported, that the said Committee had made some Progress in the said Bill, and had directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Resolved, That Mr. *Schoonmaker*, Mr. *Harpur*, Mr. *Benson*, Mr. *Hoffman*, Mr. *R. Van Rensselaer* and Mr. *Jeremiah Clark*, shall be, and they are hereby appointed a Committee of this House to meet, with a Committee to be appointed by the Honorable the Senate for the like Purpose, at the Secretary’s Office of this State, on the last Tuesday in May next, and then and there to canvas and estimate the Votes which shall be taken at the ensuing General Election within this State, for Governor and Lieutenant Governor, or Lieutenant Governor only, as the Case may be, according to the Form and Effect of the Act of the Legislature in such Case made and provided.

Ordered, That Mr. *Lott* and Mr. *Tredwell*, carry a Copy of the above Resolution, to the Honorable the Senate.

Resolved, (If the Honorable the Senate shall concur herein) the Secretary of this State, do cause the Act to regulate Elections within this State to be printed, previous to the printing of any other Act, and that he cause the said Act to be distributed throughout this State, as directed by a Resolution of both Houses of the Legislature; on the 23d Instant, by Expresses to be hired for the Purpose, and that the Legislature will provide for the Expence thereof.

Ordered, That Mr. *Lott* and Mr. *Tredwell*, carry a Copy of the last above mentioned Resolution to the Honorable the Senate, and request their Concurrence thereto.

A Message was received from the Honorable the Senate, by *Arthur Parks*, Esq; that the Senate have receded from their two first Amendments to the Bill, entitled, “*An Act to enable the Person administering the Government of this State for the Time being, to remove certain dangerous and disaffected Persons and Families.*”

Then the House adjourned until nine o’Clock To-Morrow Morning.

T U E S D A Y, 9 o’Clock, A. M. March 31, 1778.

THE Bill entitled, “*An Act to prevent the spreading of the Small-Pox within this State,*” was read the second Time, and Committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by *William Smith*, Esq; that the Senate have passed the two following Bills without Amendment, viz.

The Bill entitled, “*An Act to appoint a Treasurer for this State,*” and the Bill entitled, “*An Act to empower the Treasurer of this State, to pay into the Treasury of the United States of America, the Sum therein mentioned.*”

A Message was received from the Honorable the Council of Revision, by the Chancellor, with Copies of the Resolutions of the said Council, signed by his Excellency the Governor, that it does not appear improper to the said Council, that each of the four following Bills should become a Law of this State, viz.

The



The Bill entitled, "*An Act appointing Commissioners to take in Subscriptions, on Loan Office Certificates.*"

The Bill entitled, "*An Act to enable his Excellency the Governor, out of the Monies heretofore granted to him, to defray the Expense of paying and subsisting such of the Militia, as were in Service previous thereto.*"

The Bill entitled, "*An Act for altering the Judgments heretofore by Law prescribed, against Persons found guilty of High Treason and Petty Treason; and those who being arraigned for Treason or Felony, stand mute or refuse to plead.*"

The Bill entitled, "*An Act to authorize the Commitment of Persons, that may be apprehended in the Counties of Westchester or Ulster, to the Gaols of the Counties of Dutchess, Orange or Albany.*"

A Message was also received from the said Council of Revision, by the Chancellor; that he is directed by the said Council to deliver to this House, a Copy of the Objections of the said Council, to the Bill, entitled, "*An Act for raising seven Hundred Men, to be employed in the Defence of this State.*"

The said Objections were then read, and are in the Words following, viz.

"Objections of the Council of Revision, to the Bill, entitled, "*An Act for raising seven Hundred Men, to be employed in the Defence of this State.*"

"The Council Object to the said Bill, becoming a Law of this State, because repugnant to the Constitution thereof.

"It recites that the Council of Safety did by a Resolution, made and passed on the 4th Day of January last, revive certain Resolutions of the Council of Safety, of the 31st Day of July last, previous to which 4th Day of January, the Government was organized, and a Legislature consisting of a Senate and Assembly, were regularly chosen and actually existing.—And by a subsequent Clause of the said Act declares, "That all and singular, the Powers and Authorities, vested in the Assessors appointed by Virtue of the Resolution of the Council of Safety, of the thirty-first Day of July, revived and extended as aforesaid, (viz. by the Council of Safety of the fourth Day of January last,) "shall henceforth determine and become void."—Thereby recognizing a Power in the said Council to revive and extend Laws, which should by such Revival continue in Force till repealed; when in Fact such Power exists only in the Constitutional Legislature of this State.

GEO. CLINTON."

The said Bill together with the Objections of the Honorable the Council of Revision thereto, having been read by Paragraphs and considered—Mr. Speaker put the Question, Whether the House, notwithstanding the said Objections, do agree to pass the same, and it passed in the Affirmative by more than two Thirds of the House.

Therefore, Resolved, That the Bill entitled, "*An Act for raising seven Hundred Men, to be employed in the Defence of this State,*" (notwithstanding the Objections of the Honorable the Council of Revision to the same) BE A LAW OF THIS STATE.

Ordered, That Mr. Tredwell and Mr. Lott, carry the said Bill and the said Objections, with a Copy of the above Resolution, to the Honorable the Senate.

A Copy of a Resolution of the Honorable the Senate, was received by Alexander Webster, Esq; and is in the Words following, viz.

"Resolved, That the Senate do concur with the Honorable House of Assembly in their Resolution of the 18th Instant, on the Petition of Jacob Tremper and John Tremper."

The following Messages were received from the Honorable the Senate, by Lewis Morris, Esq; viz.

"First. That the Senate have passed the Bill, entitled, "*An Act to authorize the Person administering the Government of this State for the Time being, to remove certain dangerous and distressed Persons and Families.*"

"Second. That the Senate have passed the Bill, entitled, "*An Act for regulating Impresses of Forage and Carriages, and for billeting Troops within this State,*" without any Amendment.

"Third. That the Senate have passed the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit of this State,*" with the several Amendments therewith delivered."

The House then proceeded to the Consideration of the Amendments of the Honorable the Senate, to the last mentioned Bill—The said Bill with the Amendments was read by Paragraphs—after some Time spent therein.

Ordered, That the farther Consideration thereof, be postponed until To-Morrow.

A Copy of a Resolution of the Honorable the Senate, was also received by Lewis Morris, Esq; which is in the Words following, viz.

"Resolved, That this Senate do concur with the Honorable House of Assembly, in their Resolution of Yesterday, directing the Secretary of this State, to cause the Act to regulate



regulate Elections within this State, to be printed and distributed in such Manner, as is by the said Resolution directed."

A Message from the Honorable the Senate, was received by *Levi Pawling, Esq;* viz. "That the Senate do not agree to so much of the Amendments of this House, to the Bill entitled, "*An Act for regulating the Militia of the State of New-York,*" as is contained in the following Words relative to the associated Companies, viz. "*And when in the Field, will submit to the like Duties and Services, and will subject themselves to like Rules and Regulations with the enrolled Militia,*" and that the Senate do agree to all the other Amendments to the said Bill.

The Amendment above recited, being re-considered.

*Resolved,* That this House do recede from the same.

A Message was received from the Honorable the Senate, by *Abraham Yates, Esq;* with the Bill, entitled, "*An Act authorizing the Person administering the Government of this State for the Time being, to appoint a Place for the Meeting of the Legislature,*" that the Senate have passed the said Bill, without any Amendment.

Mr. *Schoonmaker*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government,*" reported the Proceedings of the Committee to have been in Manner following, viz. "That the Bill having been read through in Committee, and in reading the same again by Paragraphs, that Paragraph being read, which is in the Words following, viz. "To the several Members of the Senate and Assembly, for each and every Day they shall severally attend in Senate or Assembly, each the Sum of *Sixteen Shillings.*"

Mr. Speaker made a Motion in the Words following, viz.

"I move, that the Word *Sixteen* be obliterated, and the Word *Ten* inserted in the Stead thereof."

That Mr. *Benson* made a Motion in the Words following, viz.

"I move, that the Motion made by Mr. Speaker, be amended as follows; that the Word *Ten* be obliterated, and the Word *Twelve* inserted in its Stead."

That Mr. *Van Horne* then made a Motion in the Words following.

"I move as an Amendment to Mr. *Benson's* Motion, that the Word *Twelve*, in his Motion be obliterated, and the Word *Eighteen* inserted in its Stead."

That the Question being put on Mr. *Van Horne's* Motion, it passed in the Negative.

That the Question being then put on Mr. *Benson's* Motion, it was carried in the Affirmative, in Manner following, viz.

#### For the Affirmative.

Mr. Benson,	Mr. Snyder,	Mr. Wickes,	Mr. K. Van Rensselaer,	Mr. Rowan,	Mr. Brasher,
Mr. Graham,	Mr. Cuyper,	Mr. Cantine,	Mr. Jay,	Mr. Harpur,	Mr. Boerum,
Mr. Morehouse,	Mr. Van Houten,	Mr. Whiting,	Mr. E. Clark,	Mr. Swartwout,	Mr. Bancker,
Mr. Rea,	Mr. Crane,	Mr. Drake,	Mr. Tayler,	Mr. Birdfall,	
Mr. Honeywell,	Mr. Van Horne,	Mr. Gelston,	Mr. Duncomb,	Mr. L'Homedieu,	

#### For the Negative.

Mr. Wisner,	Mr. Brinckerhoff,	Mr. Speaker,	Mr. Williams,
Mr. Tredwell,	Mr. R. Van Rensselaer,	Mr. Lott,	Mr. Livingston,

That the Paragraph as amended, agreeable to Mr. *Benson's* Motion, being read and the Question put, Whether the Committee agreed to the same; it was carried in the Affirmative, in Manner following, viz.

#### For the Affirmative.

Mr. Speaker	Mr. Crane,	Mr. Gelston,	Mr. L'Homedieu,	Mr. R. Van Rensselaer,	Mr. Brasher,
Mr. Livingston,	Mr. Wisner,	Mr. Drake,	Mr. Harpur,	Mr. K. Van Rensselaer,	Mr. Lott,
Mr. Graham,	Mr. Wickes,	Mr. Van Houten,	Mr. Jay,	Mr. Swartwout,	Mr. Brinckerhoff,
Mr. Morehouse,	Mr. Tredwell,	Mr. Tayler,	Mr. E. Clark,	Mr. Rea,	
Mr. Cuyper,	Mr. Whiting,	Mr. Cantine,	Mr. Benson,	Mr. Boerum,	

#### For the Negative.

Mr. Snyder,	Mr. Rowan,	Mr. Honeywell,	Mr. Bancker,
Mr. Van Horne,	Mr. Birdfall,	Mr. Duncomb,	Mr. Williams,

That the Committee had gone through the said Bill, made some Amendments and added a Clause thereto, which they had directed him to report to the House; and he read the Report in his Place, and delivered the Bill and Amendments, and Clause in at the Table, where the same were again read, and agreed to by the House.

*Ordered,* That the Bill with the Amendments and Clause be engrossed.

Then the House adjourned until nine o'Clock To-Morrow Morning.

W E D N E S D A Y, 9 o'Clock, A. M. April 1, 1778.

**ORDERED,** That Mr. *Williams* and Mr. *Van Horne*, carry back to the Honorable the Senate, the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit of the State,*"



State," and inform them that this House do not concur in the Amendments to the said Bill.

A Message was received from the Honorable the Senate, by *Jonathan Lawrence*, Esq; with the Bill, entitled, "*An Act for regulating the Militia of the State of New-York*," that the Senate have amended the same agreeable to the Amendments therewith passed, and not receded from by this House.—The said Bill being examined, and it appearing that the said Amendments are truly made.

Ordered, That Mr. *Schoonmaker* and Mr. *Cuyper*, carry back the said Bill to the Honorable the Senate.

Mr. *Lawrence*, delivered Copies of two Resolutions of the Honorable the Senate, which being read, are respectively in the Words following, viz.

"State of New-York.

In Senate, April 1, 1778.

"Resolved, That Mr. *Platt*, Mr. *Parks*, Mr. *Ten Broeck*, Mr. *Pawling*, Mr. *Lawrence* and Mr. *Yates*, be and they are hereby appointed a Committee of this Senate, to meet with a Committee appointed by the Honorable the House of Assembly for the like Purposes, at the Secretary's Office of this State, on the last Tuesday in May next, and then and there to canvass, and estimate the Votes, which shall be taken at the ensuing Election within this State, for Governor and Lieutenant-Governor, or Lieutenant-Governor only, as the Case may require, according to the Form and Effect of the Act of the Legislature, in such Case made and Provided.

"Resolved, If the Honorable the House of Assembly concur herein, that *John Holt*, Printer, be and he is hereby directed to furnish his Excellency the Governor, with two Setts of Copies of the Acts of the Legislature of this State.—The Delegates of this State, in Congress, each one Sett.—The Members of the Legislature, each one Sett.—The Register of the Court of Chancery and the Clerk of the Supreme Court, each one Sett, for the Use of the said Courts, and the Clerk of the Senate and the Clerk of the Assembly, each two Setts, for the Use of the Senate and Assembly.

"Resolved, That this House do agree with the Honorable the Senate, in their Resolution, that *John Holt*, Printer, be directed to furnish each of the Officers of Government therein mentioned, with the Laws of this State."

Mr. *Lawrence*, from the Honorable the Senate, delivered the Bill, entitled, "*An Act for raising seven Hundred Men, to be employed in the Defence of this State*," with a Copy of a Resolution of Senate, thereunder written, that the said Bill, notwithstanding the Objections of the Council of Revision thereto, be a Law of this State.

The engrossed Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government*," was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Schoonmaker* and Mr. *Cuyper*, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

Ordered, That Mr. *Livingston* and Mr. *Brasber*, carry the following Bills to the Honorable Council of Revision, viz.

The Bill entitled, "*An Act for regulating Impresses of Forage and Carriages, and for billeting Troops within this State*."

The Bill entitled, "*An Act to enable the Person administering the Government of this State, for the Time being, to remove certain disaffected and dangerous Persons and Families*."

The Bill entitled, "*An Act to appoint a Treasurer for this State*."

The Bill entitled, "*An Act to empower the Treasurer of this State, to pay into the Treasury of the United States of America, the Sum therein mentioned*."

And the Bill entitled, "*An Act authorizing the Person administering the Government of this State, for the Time being, to appoint a Place for the Meeting of the Legislature*."

Then the House adjourned until nine o'Clock To-Morrow Morning.

THURSDAY, 9 o'Clock, A. M. April 2, 1778.

A Letter from *Andrew Mitchell*, of *Balls-Town*, one of the Commissioners to distribute Donations to the distressed Inhabitants on the Frontiers of this State, relative to Donations made in the Counties of *Albany* and *Tryon*, was read.

Ordered, That it be committed to the Members of the County of *Albany*.

A Letter from *Peter Bellinger*, directed to this House, was read. He therein denies that he heard a certain Charge contained in the Affidavit of *John Smith*, against *Michael Etdick*, Esq; one of the Members of this House.

Ordered, That the said Letter be filed.

A Message was received from the Honorable the Senate, by *Jonathan Lawrence*, Esq; that the Senate do adhere to their Amendments to the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit of this State*."

Resolved,



*Resolved*, That a Conference be held with the Honorable the Senate, upon the Amendments to the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit, of this State*," and if the Honorable the Senate shall concur herein, that this House will attend them at such Time and Place, as they shall appoint for the Purpose of holding the said Conference.

*Ordered*, That Mr. Van Houten and Mr. Etdick, carry a Copy of the above Resolution, to the Honorable the Senate.

Mr. Schoonmaker, from the Committee of the whole House, to whom were referred the two following Bills, viz. The Bill entitled, "*An Act to prevent the spreading of the Small Pox, within this State*"; And the Bill entitled, "*An Act to amend an Act entitled, an Act to remove Doubts, concerning the Corporation of the City of Albany*," reported that they had gone through the first mentioned Bill and made several Amendments thereto; and that they had gone through the last mentioned Bill, without any Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bills and Amendments to the first mentioned Bill in at the Table, where the same were again read, and agreed to by the House.

*Ordered*, That the said first mentioned Bill and Amendments be engrossed.

A Message was received from the Honorable the Senate, by Levi Pawling, Esq; that the Senate have passed a Bill, entitled, "*An Act for increasing the Number of Commissioners, for detecting and defeating Conspiracies within this State*."

And also a Bill, entitled, "*An Act for raising a Sum, not exceeding Two Thousand Pounds, by Way of Lottery, towards re-building the Court House and Gaols, in the County of Ulster*," and request the Concurrence of this House thereto respectively.

The said two Bills were respectively read the first Time, and ordered a second Reading.

Sundry Resolutions of the Honorable the Senate, received by Mr. Pawling, were read, and are in the Words following, viz.

*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolution for holding a Conference on the Amendments to the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit, of this State*."

*Resolved*, That this House will meet the Honorable House of Assembly, to hold the said Conference at the Assembly Chamber, at half past twelve o'Clock this Day.

*Resolved*, That Mr. Yates, Mr. Floyd, Mr. R. Morris, Mr. Platt and Mr. Lawrence, be a Committee (on the Part of the Senate) to manage the Business of the said Conference.

The House proceeded to choose by Ballot, a Committee to manage the said Conference on the Part of this House. And Mr. Benson, Mr. Brasber, Mr. L'Hommedieu, Mr. Harpur, Mr. Tayler and Mr. Dunscomb, were duly chosen by Ballot for that Purpose.

Thereupon *Resolved*, That Mr. Benson, Mr. Brasber, Mr. L'Hommedieu, Mr. Harpur, Mr. Tayler and Mr. Dunscomb, be a Committee on the Part of this House, to manage the Conference with the Honorable the Senate, to be held at half an Hour past twelve o'Clock this Day, on their Amendments to the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit, of this State*."

*Ordered*, That Mr. E. Clark and Mr. Rowan, carry a Copy of the above Resolution to the Honorable the Senate.

The House accordingly met the Senate, for the Purpose of holding such Conference, and the same being finished, the House proceeded to the Re-consideration of the said Bill, and the Amendments of the Honorable the Senate thereto.

Mr. Speaker then put the Question, Whether this House still adhere in the Whole to their said Bill, and it unanimously passed in the Negative.

Mr. Speaker then put the Question, Whether the House did agree to the Amendments of the Honorable the Senate to the said Bill. Debates arose thereon, and it passed in the Negative, in Manner following. viz.

For the Negative.

Mr. L'Hommedieu,	Mr. K. Van Rensselaer,	Mr. Graham,	Mr. Tredwell,	Mr. Harpur,	Mr. Cuyper,
Mr. Van Horne,	Mr. Williams,	Mr. E. Clark,	Mr. Tayler,	Mr. Benson,	Mr. Boerum,
Mr. Morehouse,	Mr. Bancker,	Mr. Wickes,	Mr. R. Van Rensselaer,	Mr. Van Houten,	Mr. Brasber,
Mr. Jay,	Mr. Crane,	Mr. Whiting,	Mr. Hoffman,	Mr. Livingston,	Mr. Lott,
Mr. Gelston,	Mr. Etdick,	Mr. Swartwout,			

For the Affirmative.

Mr. Honeywell,	Mr. Wisner,	Mr. Schoonmaker,	Mr. Rea,	Rowan,
Mr. Snyder,	Mr. Brinckerhoff,	Mr. Cantine,	Mr. Dunscomb,	

Therefore *Resolved*, That this House do not agree to the Amendments of the Honorable the Senate to said Bill.

A Motion was then made, that this House do resolve to recede so far from their said Bill, as that the Words "*any Bills of Credit, at any Time heretofore emitted by the Legislature*"



Legislature of this State, as the Colony of *New-York*, under the Authority of the King of *Great-Britain*, or" in the second enacting Clause; and the Words "emitted by the Authority of any Provincial Congress or Convention of this State as aforesaid," in the fourth enacting Clause; be obliterated:—Debates arose thereon, and the Question being put, it passed in the Affirmative, in Manner following, *viz.*

## For the Affirmative.

Mr. L'Homedieu,	Mr. K. Van Rensselaer,	Mr. Graham,	Mr. Tredwell,	Mr. Van Houten,	Mr. Lott,
Mr. Van Horne,	Mr. Williams,	Mr. E. Clark,	Mr. Tayler,	Mr. Livingston,	Mr. Hoffman,
Mr. Morehouse,	Mr. Bancker,	Mr. Wickes,	Mr. R. Van Rensselaer,	Mr. Cuyper,	Mr. Snyder,
Mr. Jay,	Mr. Crane,	Mr. Whiting,	Mr. Harpur,	Mr. Boerum,	Mr. Brinckerhoff,
Mr. Gelston,	Mr. Etdick,	Mr. Swartwout,	Mr. Benson,	Mr. Brasher,	

## For the Negative.

Mr. Wisner,	Mr. Honeywell,	Mr. Rea,	Mr. Cantiné.
Mr. Schoonmaker,	Mr. Duncomb,	Mr. Rowan,	

Therefore, *Resolved*, That that this House do recede so far from their said Bill, as that the Words "any Bills of Credit at any Time heretofore emitted by the Legislature of this State, as the Colony of *New-York*, under the Authority of the King of *Great-Britain*; or" in the second enacting Clause—and the Words "emitted by the Authority of any Provincial Congress or Convention of this State as aforesaid," in the fourth enacting Clause; be obliterated.

*Resolved*, That this House do not further recede from their said Bill,

*Ordered*, That Mr. *Benson* and Mr. *Brinckerhoff*, carry a Copy of the above Resolution, together with the said Bill, to the Honorable the Senate.

A Message was received from the Honorable the Council of Revision, by the Chancellor, with Copies of the Resolutions of the said Council, signed by his Excellency the Governor, that it does not appear improper to the said Council, that each of the following Bills should become a Law of this State. *viz.*

The Bill entitled, "An Act for completing the five Continental Battalions, raised under the Direction of this State."

The Bill entitled, "An Act to dispense with the usual Mode of administering Oaths, in Favour of Persons having conscientious Scruples respecting the same."

The Bill entitled, "An Act to enable the Person administering the Government of this State for the Time being, to remove certain disaffected and dangerous Persons and Families."

The Bill entitled, "An Act to appoint a Treasurer this of State."

The Bill entitled, "An Act to empower the Treasurer of this State to pay into the Treasury of the United States of America, the Sum therein mentioned."

The Bill entitled, "An Act authorizing the Person administering the Government of this State for the Time being, to appoint a Place for the Meeting of the Legislature."

And the Bill entitled, "An Act for regulating Impresses of Forage and Carriages, and for billeting Troops within this State."

For the greater Dispatch of Business, as this Session of the Legislature is expected speedily to terminate, and by unanimous Consent, the Bill entitled, "An Act for increasing the Number of Commissioners for detecting and defeating Conspiracies within this State;" And the Bill entitled, "An Act to permit the raising a Sum not exceeding two Thousand Pounds by Way of Lottery, towards re-building the Court-House and Gaols, in the County of Ulster," were severally read a second Time, and committed to a Committee of the whole House.

By unanimous Consent, the engrossed Bill entitled, "An Act to prevent the spreading of the Small-Pox within this State," was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Honeywell* and Mr. *Wickes*, carry the said Bill to the Honorable the Senate, and desire their Concurrence thereto.

The Bill entitled, "An Act to amend an Act entitled, An Act to remove Doubts concerning the Corporation of the City of Albany," was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Van Houten* and Mr. *Etdick*, carry back the said Bill to the Honorable the Senate, and inform them that this House have passed the said Bill, without Amendment.

It having been suggested to the House, that *Peter T. Curtenius* Esq; Commissary to purchase Clothing for this State, has of his own Cash in Hand about Five Thousand Pounds, and is willing to lay it out in purchasing Clothing for the Use of this State, beyond the Sum advanced to him for that Purpose, by a Resolution of both Houses, of the 27th Day of February last, if it should appear to him that such further Purchases can be advantageously made; and that he will require only the like Commissions upon such of his own Monies which he shall so lay out, as are allowed to him in and by the said Resolutions,—

D d

Provided



*Provided* he can be reimbursed the same out of the Treasury, and *Provided* that the same shall be at the Risk of this State, in Case it should be lost.

*Resolved*, That this House do accede to the above generous and disinterested Proposals of Mr. *Curtenius*, and that he be requested to lay out the said Five Thousand Pounds, or such Part thereof as may be necessary for the Purpose, in purchasing an additional Quantity of Clothing for the Use of this State, whenever it shall appear to him, that such farther Purchases can be advantageously made.

That the Treasurer out of such Monies as shall be then in the Treasury, reimburse to Mr. *Curtenius*, the Whole or such Parts of the said Five Thousand Pounds, as he may expend for the Purpose aforesaid; the Accounts of such Expenditures to be examined and audited by the Auditor General, of this State.

That Mr. *Curtenius*, shall be allowed on such of the said Monies as he shall so expend as aforesaid, the like Commissions, besides his Expences, as are allowed to him, in and by the above Resolution; And that if the said Monies, while kept by Mr. *Curtenius*, for the Purpose of making such additional Purchases, should by Theft or other Casualty be lost, that such Loss shall be borne by this State.

*Ordered*, That Mr. *Snyder* and Mr. *K. Van Rensselaer*, carry a Copy of the preceding Resolutions to the Honorable the Senate, and request their Concurrence therein.

Then the House adjourned until nine o'Clock To-Morrow Morning.

F R I D A Y 9 o'Clock, A. M. April 3, 1778.

A Copy of a Resolution of the Honorable the Council of Revision, signed by his Excellency the Governor and delivered to the Honorable the Senate, was read, certifying that it does not appear improper to the said Council, that the Bill, entitled, "*An Act to amend an Act entitled, an Act to remove Doubts concerning the Corporation of the City of Albany,*" should become a Law of this State.

Mr. *Gelston*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for increasing the Number of Commissioners, for detecting and defeating Conspiracies within this State,*" reported that the said Committee had gone through the said Bill, without any Amendment, which they had directed him to report to the House, and he read the Report in his Place and delivered the Bill in at the Table, where the same was again read.

Mr. Speaker then put the Question, Whether the Bill shall pass? Debates arose thereon, and it passed in the Affirmative by every Member present, except Mr. *R. Van Rensselaer*, Mr. *Duncomb*, Mr. *Rea*, Mr. *Snyder* and Mr. *Brinckerhoff*, who voted in the Negative.

*Resolved*, Therefore that the Bill do pass.

*Ordered*, That Mr. *Cuyper* and Mr. *Birdsall*, carry back the said Bill to the Honorable the Senate, and inform them that this House have passed the same without Amendment.

Mr. *Gelston*, from the said Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to permit the raising a Sum not exceeding Two Thousand Pounds, by Way of Lottery, towards re-building the Court House and Gaols, in the County of Ulster,*" reported that the said Committee had gone through the said Bill, without any Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. *Schoonmaker* and Mr. *Cantine*, carry the said Bill to the Honorable the Senate, and inform them that this House have passed the same, without Amendment.

A Message was received from the Honorable the Senate, by *Arthur Parks*, Esq; that the Senate have by a Resolution of this Day, concurred with this House in their Resolutions of Yesterday, accepting of the Proposals of *Peter T. Curtenius*, Esq; for expending a Sum of his own Cash in the Purchase of Clothing for the Troops raised under the Direction of this State, on the Terms in the Resolutions of this House, for that Purpose mentioned.

Copies of Resolutions of the Honorable the Council of Revision, signed by his Excellency the Governor, and delivered to the Honorable the Senate, were read, declaring that it does not appear improper to the said Council, that each of the following Bills, should become a Law of this State, viz.

The Bill entitled, "*An Act to permit the raising a Sum, not exceeding Two Thousand Pounds, by Way of Lottery, towards re-building the Court House and Gaols, in the County of Ulster.*"

The Bill entitled, "*An Act for regulating the Militia, of the State of New-York.*"

The Bill entitled, "*An Act to regulate the Wages of Mechanics and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State; and for other Purposes therein mentioned.*"



And the Bill entitled, "*An Act for increasing the Number of Commissioners, for detecting and defeating Conspiracies, within this State.*"

Then the House adjourned until nine o'Clock To-Morrow Morning.

SATURDAY, 9 o'Clock A. M. April 4, 1778.

A Message was received from the Honorable the Senate, by *Alexander Webster*, Esq; with the Bill, entitled, "*An Act to prevent the spreading of the Small Pox, within this State,*" that the Senate have passed the same without Amendment.

Ordered, That Mr. *Schoonmaker* and Mr. *Livingston*, carry the said Bill to the Honorable the Council of Revision.

A Copy of a Resolution of the Honorable the Senate, was received by *Dirck W. Ten Broeck*, Esq; which is in the Words following, viz.

"State of New-York.

In Senate, April 3, 1778.

"Resolved, That this Senate do adhere to their Amendments to the Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit of this State.*"

A Message was received from the Honorable the Senate, by *Anthony Van Schaick*, Esq; that the Senate have passed the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government,*" with the Amendments therewith delivered.

The said Amendments being severally read, on reading the Amendment, which is to obliterate *Twelve* and insert *Sixteen* Shillings as the daily Pay of the Representatives in Senate and Assembly; Mr. *Benson*, moved that the Amendment be rejected.—Debates arose thereon, and the Question being put, it passed in the Negative, in Manner following, viz.

#### For the Negative.

Mr. Morehouse,  
Mr. Crane,  
Mr. Rowan,  
Mr. Barns,

Mr. Snyder,  
Mr. Cantine,  
Mr. Birdfall,  
Mr. Graham,

Mr. K. Van Rensselaer,  
Mr. Rea,  
Mr. Van Houten,  
Mr. Whiting,

Mr. Honeywell,  
Mr. Boerum,  
Mr. Van Horne,  
Mr. Etdick,

Mr. E. Clark,  
Mr. Williams,  
Mr. Duncomb.

#### For the Affirmative.

Mr. Tredwell  
Mr. Swartwout,  
Mr. Wisner,

Mr. Cuyper,  
Mr. Bancker,  
Mr. Jay,

Mr. Schoonmaker,  
Mr. Livingston,  
Mr. Hoffman,

Mr. Harpur,  
Mr. Brinckerhoff,  
Mr. Benson,

Mr. Tayler,  
Mr. R. Van Rensselaer,  
Mr. L'Hommedieu,

Mr. Wickes,  
Mr. Brasher,  
Mr. Gelston,

The other Amendments being respectively read, were unanimously agreed to by the House.

Ordered, That the said Bill be amended accordingly.

Ordered, That Mr. *Harpur* and Mr. *E. Clark*, carry back the said Bill to the Honorable the Senate, and inform them that this House have agreed to the Amendments to the said Bill, and amended the same accordingly.

A Message was received from the Honorable the Senate, by *Abraham Yates*, Esq; with the Bill entitled, "*An Act to remove Doubts concerning the Powers of the last Convention and Council of Safety of this State, and to indemnify those who have acted under their Authority respectively,*" that the Senate have passed the said Bill without any Amendment.

Ordered, That Mr. *L'Hommedieu* and Mr. *Swartwout*, carry the said Bill to the Honorable the Council of Revision.

A Petition of *Elnathan Foster*, whose Effects have been disposed of by the Commissioners of Sequestration in *Ulster* County, was read, and ordered to lie on the Table.

Mr. *Benson* informed the House, that the Honorable the Senate, having appointed two of their Members to wait on his Excellency the Governor, and acquaint him, that the Legislature proposed speedily to adjourn, unless he had Matters of Importance to lay before them,—he attended with the said Committee on his Excellency, who was pleased to reply, that he had no Objection to an Adjournment of the Legislature, whenever the two Houses thought it proper; and that he had not any other Matters to lay before them, than he had already communicated.

Thereupon,

Resolved, (If the Honorable the Senate shall concur herein) That the Legislature of this State, will this Afternoon, adjourn until the second Tuesday in June next, then to meet at such Place as the Person administering the Government of this State for the Time being, shall by Proclamation, for that Purpose to be issued, assign and appoint.

Ordered, That Mr. *Harpur* and Mr. *Etdick*, carry a Copy of the last Resolution to the Honorable the Senate for Concurrence.

Resolved, As the Opinion of this House, That where Persons deriving Title under *New-York*, shall be deprived of Property, in Consequence of the third Regulation contained in the Report and Resolutions of the Senate and Assembly, of the twenty-first Day of February last, on the Papers mentioned in his Excellency the Governor's Message, of the 14th Day of February aforesaid, relative to the Situation of some of the good Subjects of this State in the Eastern District thereof; such Persons ought to be compensated for such



such Loss of Property by the Legislature of this State, in such Manner as they in their Wisdom, shall deem just and equitable.

The Bill entitled, "*An Act for the Payment of the Salaries, of the several Officers of Government,*" being brought from the Senate,

*Ordered*, That Mr. *Hoffman* and Mr. *Taylor*, carry the same to the Honorable the Council of Revision.

*Resolved*, (If the Honorable the Senate shall concur herein) That the Legislature will, out of the Monies to be raised by Tax, provide for the Repayment of such Sums as the Treasurer shall take on Loan, for the Use of this State, within one Year from the Time such Sums shall be respectively paid into the Treasury, and with Interest for the same, at the Rate of Six per Cent, from the Time of such Payment. And the Treasurers, Certificates that the Sums were lent to the State, and were respectively paid into the Treasury for that Purpose, shall be sufficient to entitle the respective Lenders to such Repayment, with Interest as aforesaid.

*Ordered*, That Mr. *Benson* and Mr. *Taylor*, carry a Copy of the last Resolution, to the Honorable the Senate for Concurrence.

*Resolved*, That 684 Bushels of Salt belonging to this State, now in the Store of *William Radclift*, at *Rhine-Beck*, be distributed as follows, viz.

To the County of <i>Albany</i> ,	-	-	-	158	3-4	Bushels.
To <i>Tryon</i> County,	-	-	-	86	3-4	
<i>Dutchess</i> County,	-	-	-	100		
<i>Orange</i> County,	-	-	-	72	1-4	
<i>Ulster</i> County,	-	-	-	115	1-2	
<i>Charlotte</i> County,	-	-	-	117.		

*Resolved*, That an Order from any two Members of Assembly, of each County, to said *William Radclift*, shall be a sufficient Voucher to him for the Delivery of such Proportions of Salt as above, to the Commissioners of the respective Counties, or their Order to be disposed of, as is directed by a Resolution of the Council of Safety, passed at *Kingston* on the 8th Day of September last, and the Monies thence arising to be paid into the Treasury of this State.

*Ordered*, That Mr. *Hoffman* and Mr. *Honeywell*, carry a Copy of the above Resolution to the Honorable the Senate, for Concurrence.

A Copy of a Resolution of the Honorable the Senate, passed this Day, was received by *Lewis Morris*, Esq; and read, which is in the Words following, viz.

"*Resolved*, That this Senate do concur with the Honorable House of Assembly, in their Resolution of this Day, that the Legislature will, out of the Monies to be raised by Tax, provide for the Repayment of such Sums as the Treasurer shall take on Loan, for the Use of this State, as in the said Resolution is mentioned.

"*Resolved*, If the Honorable the Senate shall concur herein, That the Legislature of this State, will, besides the Salary of Two Hundred Pounds, granted to Colonel *John Lasher*, Commissioner of Military Stores for this State, provide for the Payment of Store-Keepers, Store-Hire and other necessary incidental Charges, that have arisen or may arise in the Business committed to the said *John Lasher*, as Commissary as aforesaid."

*Ordered*, That Mr. *Harpur* and Mr. *Boerum*, carry a Copy of the said Resolution to the Honorable the Senate, for their Concurrence.

Copies of two Resolutions of the Honorable the Senate, received by *Arthur Parks*, Esq; were read, and are respectively in the Words following, viz.

"*Resolved*, That this Senate do concur in the Resolution of the Honorable House of Assembly, of this Day, relative to the Distribution of the Salt, belonging to this State, now in the Store of *William Radclift*."

"*Resolved*, That this Senate do concur in the Resolution of the Honorable House of Assembly, of this Day, that the Legislature of this State, will this Afternoon, adjourn until the second Tuesday in June next, then to meet at such Place as the Person administering the Government of this State, shall by Proclamation for that Purpose to be issued assign and appoint.

A Copy of a Resolution of the Honorable the Senate, received by *William Floyd*, Esq; was read, and is in the Words following, viz.

"*Resolved*, That this Senate do concur in the Resolution of the Honorable House of Assembly, of this Day, relative to Col. *John Lasher*, Commissioner of Military Stores for this State."

A Message from the Honorable the Council of Revision, received by the Chancellor was read, and is in the Words following, viz.



" State of New-York.

" In Council of Revision, held at Poughkeepsie, on Saturday the 4th Day of April, 1778.

" The Bill entitled, "*An Act to remove Doubts, concerning the Powers of the last Convention and Council of Safety of this State, and to indemnify those who have acted under their Authority respectively,*" having been read, whereby it appears necessary, that the several Orders and Resolutions of the said Convention and Council of Safety, should be particularly examined, in Order to enable this Council, to judge whether there are no Objections to the said Orders and Resolutions becoming a Law of this State, which said Orders and Resolutions being essential Parts of the said Bill, ought to have been delivered with the same; more especially as they were public Transactions, not, as far as this Council have been able to learn, lodged in any public Office of this State.

*Resolved* therefore, That Application be made to the Honorable the Assembly, for such of the said Orders and Resolutions, of the said Convention and Council of Safety, as are in and by the said Bill ratified and confirmed, and declared to be good and valid.

" *Resolved*, That a Copy of the above Resolution, signed by his Excellency the Governor, be presented to the Honorable the Assembly, by the Chancellor.

GEO. CLINTON."

*Ordered*, That the Clerk of this House attend the said Council of Revision, at such Time as they may direct, with the Minutes of the Proceedings and Resolutions of the last Convention and Council of Safety, of this State.

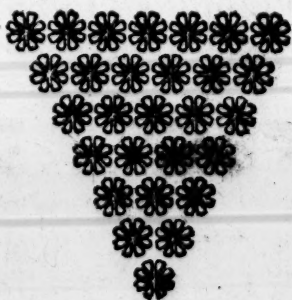
A Copy of a Resolution of the Honorable the Council of Revision, was received by the Chancellor, and read, whereby it is resolved, "that it does not appear improper to the said Council, that the Bill, entitled, "*An Act for the Payment of the Salaries of the several Officers of Government,*" should become a Law of this State."

*Ordered*, That Mr. Hoffman, Mr. Jay and Mr. Benson, be a Committee, to devise, during the Recess of the Legislature) proper Ways and Means, for calling in and cancelling the Bills of Credit of this State; and that they prepare and bring in a Bill for that Purpose, at the next Meeting of the Legislature.

Then the House adjourned until the second Tuesday in June next, then to meet at such Place, as the Person administering the Government of this State, for the Time being, shall, by Proclamation for that Purpose to be issued, assign and appoint.

BY Virtue of an Order of the Assembly of the State of New-York, I do appoint JOHN HOLT to print these Votes, and that no other Person presume to print the same.

WALTER LIVINGSTON, Speaker.





[illegible]

WALTER LIVINGSTON, Speaker.





POUGHKEEPSIE, in Dutchess County, June 22, 1778.

THE Senate and Assembly, having by mutual Consent, on the fourth Day of *April* last, adjourned until the second Tuesday in this Month, then to meet at such Place as the Person administering the Government of this State for the Time being, should by Proclamation for that Purpose to be issued, assign and appoint; and his Excellency the Governor, having by Proclamation, bearing Date the twenty-first Day of *May* last, assigned and appointed this Place for the Meeting of the Legislature; several Members accordingly met on that Day, and a sufficient Number to proceed to Business not appearing, the House adjourned from Day to Day, until this Day, when a Majority of the House appearing, Mr. Speaker by Order, took the Chair.

Ordered, That Mr. *Brinckerhoff* and Mr. *Drake*, wait on his Excellency the Governor, and inform him that this House is met, and ready to proceed on Business.

Ordered, That Mr. *Dunscorn* and Mr. *Whiting*, wait on the Honorable the Senate, and inform them that this House is met, and ready to proceed on Business.

A Petition of *William Carter*, of *Charlotte Precinct*, in *Dutchess County*, praying Leave to export, one Thousand Barrels of Flour, was read, and ordered to lie on the Table.

Mr. *Benson* moved for Leave to bring in a Bill, entitled, "*An Act for enabling the Inhabitants of the Eastern District of this State, to elect a Senator, Representatives in Assembly, Supervisors and Assessors, notwithstanding the several annual Days for electing these Officers have elapsed.*"

Ordered, That Leave be given accordingly.

Mr. *Benson* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

A Message from his Excellency the Governor, by Mr. *Benson*, his private Secretary, was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"The Duty of my Office requires my laying before you the several Papers which accompany this Message, together with Copies of some Letters written by me, respecting the Affairs of this State.

"By the Resolution of Congress, of the 19th of *March* last, you will find it (among other Things) recommended to the several States, to make suitable Provision for supplying their respective Quota's of Troops, with the necessary Accoutrements. The continual Waste of these Articles by the Accidents of War, naturally recommend a due Attention to the proper Means for repairing the Losses thereby occasioned.

"The Resolutions of Congress, of the 23d of *April*, and of the 1st of *May* last, I lay before you merely for your Information, the Former being expired by its own Limitation, and ample Provision being made for the Matters recommended in the Latter, by the Law for regulating the Militia of this State.

"The Resolution of Congress, of the 22d of *May* last, recommending an Exemption and Disqualification of Deserters and Prisoners from Military Service, justly merits your Attention, and a due Consideration, whether it should in Part, or wholly be carried into Execution.—It is doubtless sound Policy, and a Practice justifiable by the Rules of War, to encourage Desertions from the Enemy, and it would at the same Time be manifest Injustice to compel Prisoners into Service—But the Case of Deserters from the Regular Troops of the Enemy, and of those from their New Levies, (which are composed of our disaffected and rebellious Inhabitants) are by no Means similar. To compel the Former to Militia Service, would by exposing them to capital Punishments, discourage Desertions; and to encourage them to engage as Volunteers, would be unsafe and impolitic; because Desertions generally arise from Want of Principle in the Men, which forbid any Dependence on the Integrity of such a Soldier, nor can faithful Service be expected from those who against Principle are compelled to it.—With Respect to the Latter, it may not be improper to consider an Extension and Application of the Resolution to their Case, would not only operate as an implicative Pardon of their Offences, but also as a Reward for their Crimes, by exempting them from those Duties which good Subjects owe to their Country, and thereby give just Cause of Umbrage to the virtuous Citizen.

"I submit to your Perusal, the Establishment of the Continental Army, the Resolution of Congress thereon of the 2d Instant, and another of the 6th, extending the Benefit of it to the Militia, which may be called into Continental Service.—These Resolutions communicated to our Constituents, will naturally excite them to engage in the Service with greater Cheerfulness and Alacrity.

"The Affairs of *America* are now drawing towards a serious and important Crisis—The late Treaties of Amity and Commerce, between the United States of *North-America*, and



His Most Christian Majesty the King of *France*, on Terms so distinguishedly generous, on the Part of his Majesty, and so highly honourable to the United States; the many ignominious Disappointments of our cruel Enemy, and the Smiles of a kind Providence on the Justice of our Cause, promise greatly in Favour of *American* Liberty and Independence, on the most solid and lasting Foundation—As the Prospect of Deliverance approaches, our Exertions should become more vigorous—A State of Security, consisting chiefly in flattering Views, would have a fatal Tendency to expose us to Surprise, when Danger is least apparent—We are to expect another active Campaign, and besides discharging our public Engagements in supplying our full Quota of Continental Troops, the Militia of this State should stand cheerfully ready on the most sudden Call, to reinforce the Continental Army, on the Success of whose Operations, depends the Fate of *America*—Let this Year then distinguish us more conspicuously than ever, for our spirited Efforts in so noble, so exalted a Cause—What an insidious Foe has not been able to effect by Arms, will now be attempted by Art and Circumvention; should these fail, Recourse will doubtless be had again to open Force. The Vanity and Pride of *Britain* will not permit her to cede the Empire of *America*, without one more violent Effort, which can only injure us by finding us unprepared. Delusory Laws of the *British* Senate are now tendered by Commissioners, appointed for the Purpose, to divide the Inhabitants of these United States, and to lull them with the specious but ruinous Prospect of Peace and Security, whilst their Fleets and Armies are not withdrawn, but reinforced, and the revolted Subjects joined by Savages under the Influence of *British* Emissaries, are encouraged in the Commission of cruel Depredations on our defenceless Frontier Inhabitants. These Laws you will readily perceive (tho' in Terms designedly unexpressive) implicatively assert the absolute Supremacy of Parliament, the Rebellion of *America*, and the discretionary Power of pardoning and punishing for this supposed Rebellion—They are unjustly calculated to draw from *America* her Ultimatum—They are the forced Language of Imbecility for Conquest; not the natural Expression of Desire for Equality in Re-union—They are formed to disarm us with a treacherous Design, the more effectually to complete our Ruin—Permit me therefore to recommend to your serious Attention, the Papers on this Subject—They will serve to shew you the Sense of Congress, on the falacious and destructive Overtures of our Enemy, secure us against an unmanly and impatient Anxiety for a dangerous Peace, and teach us to wait without repining, for the wise Result of that august Body, to whom we have entrusted the important Concerns of *America*, as the only proper Rule of our Conduct.

“To increase the Distresses of the Enemy by depriving them of all Supplies from the Continent, and to insure the Success of our Operations, Congress have thought fit, by an Embargo of the 8th Instant, to prohibit the Exportation of Provision for a limited Time. I submit it therefore to your Consideration, Whether instead of our Embargo Law (which was intended to prevent Supplies going to the Enemy from this thro' the neighbouring States) some new provision ought to be substituted for permitting a communication of Necessaries between us and our Sister States, and opening that free Communication with them which we ought always studiously to maintain, so guarded however as effectually to prevent Monopoly.

“I am sorry that I am obliged to furnish you (by some of the Papers herewith delivered) with the Opportunity of observing that the Regulation agreed on by a Convention of the States at *New-Haven*, in *January* last, for the Reduction of Prices, so strongly recommended by Congress, has not obtained the Approbation of all the States—It behoves the Legislature to consider, how far a partial Regulation obligatory on the Inhabitants of this State, may be injurious to its Welfare, and inadequate to the Design of imposing it; and consequently what new Provisions ought to be made on a Subject of so much Importance—Permit me to observe, that should this regulation prove abortive, the Necessity of calling out of Circulation, our Emission of State Money by Taxes, and other Means will become more cogent, and to recommend this Matter to your most serious Attention.

“You will be able from Papers herewith delivered to you, to see what Effect the Proclamation founded on the concurrent Resolutions of the Senate and Assembly has had, as well on the designing and the deluded Inhabitants, who aim at Independency, under the Title of the State of *Vermont*, as on the well affected Subjects in that Part of the State—In the Judgment of the disinterested, all Claims on the Justice, and even on the Generosity of this State, have been fully satisfied—From a Perusal of those Papers, you will also discover how strenuously I have pressed for an Express and unequivocal Declaration of the Sense of Congress, on that important Subject; and as this Matter has in Consequence of my Application, been referred to a special Committee, I offer it as worthy your



your deliberate Consideration, Whether the Result of Congress ought not to be patiently expected before any coercive Steps be taken, to reduce the Delinquents to a proper Sense of their Duty.

G E O. C L I N T O N."

Poughkeepsie, June 22, 1778.

The Papers accompanying his Excellency's said Message, being also read,  
*Resolved*, That his Excellency's said Message, and the Papers accompanying the same, be committed to a Committee.

That Mr. *Benson*, Mr. *L'Homedieu*, Mr. *Taylor*, Mr. *Schoonmaker* and Mr. *Van Zandt*, be a Committee for that Purpose, and that they report thereon with all convenient Speed.

A Memorial of *William Mercier*, setting forth his former Appointments by the Provincial Congress of this State, and his faithful Services in the same, and requesting such Allowances for his future Services, and such Provision for his Employment in the Service of the Public as may appear just and reasonable, was read;

*Ordered*, That the same be committed to Mr. *Williams* and Mr. *Brinckerhoff*, to report thereon.

A Letter from *Peter T. Curtenius*, dated the 20th Instant, containing an Invoice of the Quantities and Species of Clothing he has purchased, agreeable to the Directions of the Legislature, for the Use of the Continental Troops raised in this State, and mentioning for what Purposes, he will stand in Need of a further Advance of Money, was read.

*Ordered*, That the said Letter and Invoice, be committed to Mr. *Bancker* and Mr. *Wisner*, to report thereon.

A Message was received from the Honorable the Senate, by Mr. *Wisner*, in the Words following, viz.

"State of New-York,

In Senate, June 21, 1778.

"Mr. *Wisner* informed the Senate, that as one of the Committee, appointed by the Resolutions of the Senate and Assembly, pursuant to the Resolutions of Congress, of the 5th of *November* last, "to assist General Gates in obtaining such Artificers and Materials, for accomplishing the Security of *Hudson's* River, and the Passes in the Highlands, as he should direct," he had advanced considerable Sums, and contracted sundry Debts in the Execution of that Business; and therefore moved that a Committee be appointed in Conjunction with such Committee as the Honorable House of Assembly, shall think proper to appoint for the Purpose, to audit his Accounts.

"*Resolved*, That it is the Sense of this Senate, that the Legislature of this State is responsible to Mr. *Wisner*, for the above Disbursements and Debts, and that the Amount of the same when audited, be paid to him out of the Treasury thereof, without Delay.

"*Resolved*, That as Mr. *Wisner's* Attendance in this Senate, cannot be dispensed with, and he is therefore unable to attend the Auditor for that Purpose, Mr. *Platt*, Mr. *Parks* and Mr. *Landon*, or any two of them, be a Committee in Conjunction with such Members of the Honorable the House of Assembly, as they shall think proper to appoint, for the Purpose, to audit the said Accounts.

*Resolved*, if the Honorable the House of Assembly concur herein, That the Treasurer immediately on Payment of the said audited Accounts, apply to Major General *Gates*, for a Warrant for the Amount of the same, on the Pay-Master General's Office, within the Department of his Command.

"*Ordered*, That Mr. *Wisner* carry a Copy of the foregoing Resolutions, to the Honorable House of Assembly.

A true Copy from the Minutes,

R O B E R T B E N S O N, Clerk."

Then the House adjourned until eight o'Clock To-Morrow Morning.

T U E S D A Y, 8 o'Clock, A. M. June 23, 1778.

MR. BENSON, from the Committee to whom was referred his Excellency's Message of yesterday, and the Papers accompanying the same, reported, that it is the Opinion of the said Committee, that the following Bills be prepared and brought in, viz.

"A Bill for providing the Continental Battalions raised under the Direction of this State, with Accoutrements.

"A Bill to exempt and disqualify from serving in the Militia, all Persons not Subjects of any of the United States, who shall desert from the Enemy."

"A Bill for amending an Act to prevent the Exportation of Flour, Meal and Grain, out of this State.

"A Bill for suspending an Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned.

"A



" A Bill to furnish the Families of Persons serving in the Continental Battalions, raised under the Directions of this State, with Necessaries at reasonable Rates."

" A Bill for calling in by Loan the Bills of Credit of this State."

" A Bill to regulate the Trade within this State." And,

" A Bill to raise a further Sum, to be employed towards the public Exigencies of this State."

*Resolved*, That this House do agree with their Committee in the said Report.

*Ordered*, That a Bill be brought in for providing the Continental Battalions, raised under the Direction of this State, with Accoutrements, and that Mr. *L'Hommedieu* and Mr. *Dunscorn*, prepare and bring in the same.

*Ordered*, That a Bill be brought in to exempt and disqualify for serving in the Militia, all Persons not Subjects of any of the United States, who shall desert from the Enemy, and that Mr. *Benson* and Mr. *R. Van Rensselaer*, prepare and bring in the same.

*Ordered*, That a Bill be brought in for amending an Act, entitled, "*An Act to prevent the Exportation of Flour, Meal and Grain, out of this State*," and that Mr. *Tredwell* and Mr. *Wickes*, prepare and bring in the same.

*Ordered*, That a Bill be brought in for suspending "*An Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned*," and that Mr. *Taylor* and Mr. *Whiting*, prepare and bring in the same.

*Ordered*, That a Bill be brought in to furnish the Families of Persons, serving in the Continental Battalions, raised under the Directions of this State, with Necessaries at reasonable Rates, and that Mr. *Livingston* and Mr. *Coe*, prepare and bring in the same.

*Ordered*, That a Bill be brought in for calling in by Loan, the Bills of Credit of this State, and that Mr. *Williams* and Mr. *Lott*, prepare and bring in the same.

*Ordered*, That a Bill be brought in to regulate the Trade within this State, and that Mr. *Harpur* and Mr. *Bancker*, prepare and bring in the same.

*Ordered*, That a Bill be brought in to raise a further Sum, to be applied towards the public Exigencies of this State---And that Mr. *Schoonmaker* and Mr. *Swartwout*, prepare and bring in the same.

A Petition of *John Blair* and *John Younglove*, Justices of the Peace, and *Edmund Wells*, Supervisor of the District of *Cambridge*, in the County of *Albany*, praying to be relieved from the Tax to be levied by Virtue of the late Law for raising Monies, to be applied towards the public Exigencies of the State, was read.

A Petition of *Cornelius Van Veghten*, *Harmanus Schuyler*, *Dirck Swart*, and sixty-five other Inhabitants of the District of *Saraghtoga*, in the County of *Albany*, praying for the like Relief, was also read.

*Ordered*, That the said Petitions be committed to a Committee, and that Mr. *Hoffman*, Mr. *Taylor* and Mr. *Harpur*, be a Committee for that Purpose.

Mr. *Bancker*, from the Committee, to whom was referred the Letter from *Peter T. Curtenius*, Esq; Commissary to purchase Clothing for this State, reported that a Bill be prepared and brought in for advancing to *Peter T. Curtenius*, Esq; Commissary to purchase Clothing for this State, the further Sum of—

*Ordered*, That a Bill be brought in accordingly, and that Mr. *Bancker* and Mr. *Wisner*, prepare and bring in the same.

Mr. *Bancker* accordingly brought in a Bill, entitled, "*An Act for advancing to Peter T. Curtenius, Esq; Commissary to purchase Clothing for this State, the further Sum of*" which was read the first Time, and ordered a second Reading.

Mr. *Williams*, moved for Leave to bring in a Bill, entitled, "*An Act to make Provision, for such of the Poor as were removed from the City of New-York* ;

*Ordered*, That Leave be given accordingly.

Mr. *Williams*, accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

*Resolved*, That this House will To-Morrow Morning, proceed to take into Consideration, that Clause in the Ordinance of the Convention of this State, for organizing and establishing the Government agreed to by the said Convention, whereby the several Persons therein named, are appointed Representatives in Assembly, for the City and County of *New-York*, and the Counties of *Suffolk*, *Queen's*, *King's* and *Richmond*.

*Ordered*, That Mr. *Hoffman*, Mr. *L'Hommedieu* and Mr. *Wickes*, be a Committee to confer with *Henry Wisner*, Esq; on the Subject of the Resolutions received from the Honorable the Senate Yesterday, and report thereon.

Then the House adjourned until three o'Clock this Afternoon.

TUESDAY,



TUESDAY, 3 o'Clock, P. M. June 23, 1778.

MR L'HOMMEDIU, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act for providing the Continental Battalions, raised under the Direction of this State, with Accoutrements,*" which was read the first Time, and ordered a second Reading.

Mr. Benson, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act to exempt and disqualify from serving in the Militia, all Persons not Subjects of any of the United States, who shall desert from the Enemy,*" which was read the first Time, and ordered a second Reading.

Mr. Wickes, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act for amending an Act, to prevent the Exportation of Flour, Meal and Grain, out of this State,*" which was read the first Time, and ordered a second Reading.

Mr. Taylor, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act for suspending an Act, to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" which was read the first Time, and ordered a second Reading.

Mr. Livingston, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act to furnish the Families of Persons serving in the Continental Battalions raised under the Direction of this State, with Necessaries at reasonable Rates,*" which was read the first Time, and ordered a second Reading.

Mr. Williams, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act for calling in by Loan, the Bills of Credit of this State,*" which was read the first Time, and ordered a second Reading.

Mr. Harpur, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act to regulate the Trade within this State,*" which was read the first Time, and ordered a second Reading.

Mr. Schoonmaker, from the Committee appointed for that Purpose, brought in a Bill, entitled, "*An Act to raise a further Sum to be applied towards the public Exigencies of this State,*" which was read the first Time, and ordered a second Reading.

Then the House adjourned until eight o'Clock To-Morrow Morning.

WEDNESDAY, 8 o'Clock, A. M. June 24, 1778.

THE Bill entitled, "*An Act for providing the Continental Battalions raised under the Direction of this State, with Accoutrements,*" was read the second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to exempt and disqualify from serving in the Militia, all Persons not Subjects of any of the United States, who shall desert from the Enemy,*" was read the second Time, and Committed to a Committee of the whole House.

The Bill entitled, "*An Act for suspending an Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, "*An Act to raise a further Sum to be applied towards the public Exigencies of this State,*" was read a second Time, and committed to a Committee of the whole House.

Mr. Harpur, from the Committee to whom was referred the Petition of two Justices, and the Supervisor of the District of Cambridge, and also the Petition of the Inhabitants of the District of Saraghtoga, reported, that the Petitioners cannot consistent with public Justice, be exempted from paying their respective Proportions of the present Taxes of this State; for to exempt the Property of any Part of the Subjects of this State from Taxation, on account of the Injuries they may have sustained in the Course of the War, would necessarily introduce a partial Discrimination between the suffering Subjects of this State, or a general Compensation for Losses sustained: the Former of which the Committee conceive would be unjust, and the Latter altogether impracticable at this Time.

The Question being put, Whether the House do agree with their Committee in their said Report. Debates arose thereon, it was carried in the Affirmative by every Member present, except Mr. Taylor and Mr. E. Clark, who voted in the Negative.

Therefore, *Resolved*, That the House do agree with their Committee in the said Report.

The Order of the Day being read, the House proceeded to take into Consideration, that Clause in the Ordinance of the Convention of the Representatives of this State, for organizing and establishing the Government agreed to by the said Convention, whereby the several Persons therein named, are appointed Representatives in Assembly, for the City and County of New-York, and the Counties of Suffolk, Queens, Kings and Richmond.



After some Time spent thereon, Mr. *Benson* moved for a Resolution in the Words following, viz.

"*Resolved*, That in the Opinion of this House, the several Persons in and by the said Ordinance, appointed Representatives in Assembly, for the City and County of *New-York*, and the Counties of *Suffolk*, *Queens*, *Kings* and *Richmond*; and such Person or Persons, as have been, or shall be chosen by the Senate, to fill up any Vacancies that have arisen or may arise, are by the Terms of the said Ordinance, to continue Representatives in Assembly, for the said City and Counties respectively, until the Electors they represent shall respectively be in a Capacity of electing, although the Electors in the said City and Counties, should remain incapable of electing for a longer Time than one Year, after the said several Persons were so appointed or elected, any Thing in the Constitution of this State, requiring the Representatives in Assembly, to be annually chosen notwithstanding."

Debates arose thereon, and thereupon Mr. *Van Zandt* moved for the previous Question, Whether the Question on Mr. *Benson's* Motion shall be now put. Debates also arose thereon, and the Question being put, Whether the Question on Mr. *Benson's* Motion shall be now put, it was carried in the Affirmative.

Mr. *Duncomb*, Mr. *Williams*, Mr. *Van Zandt*, Mr. *Coe*, Mr. *Boerum*, Mr. *Birdfall* and Mr. *Edfall*, then requested that they may respectively be excused from voting on the said Resolution. And the Question being put, Whether those Gentlemen shall be excused from voting on the Question for the said Resolution, it passed in the Negative, in Manner following, viz.

#### For the Negative.

Mr. Taylor,	Mr. Drake,	Mr. Morehouse,	Mr. Rea,	Mr. Mills,	Mr. Hardenberg,
Mr. Schoonmaker,	Mr. J. Clark,	Mr. Jay,	Mr. Lott,	Mr. Wickes,	Mr. Benson,
Mr. Brinckerhoff,	Mr. Whiting,	Mr. E. Clark,	Mr. Hoffman,	Mr. Snyder,	Mr. Livingston,
Mr. Wisner,	Mr. R. Van Rensselaer,	Mr. Crane,	Mr. Harpur,	Mr. Tredwell,	
Mr. Miller,	Mr. Schuyler,	Mr. Honeywell,	Mr. Swartwout,	Mr. L'Homedieu,	

#### For the Affirmative.

Mr. Duncomb,	Mr. Van Zandt,	Mr. Boerum,	Mr. Edfall,	Mr. Van Houten,
Mr. Williams,	Mr. Coe,	Mr. Birdfall,	Mr. Bancker,	Mr. Rowan.

The Question being then put on the said Resolution, it passed in the Affirmative, in Manner following, viz.

#### For the Affirmative.

Mr. Taylor,	Mr. E. Clark,	Mr. Benson,	Mr. Drake,	Mr. Harpur,	Mr. Livingston,
Mr. Schoonmaker,	Mr. Crane,	Mr. Duncomb,	Mr. J. Clark,	Mr. Swartwout,	Mr. Williams,
Mr. Wisner,	Mr. Honeywell,	Mr. Coe,	Mr. Whiting,	Mr. Mills,	Mr. Boerum,
Mr. Miller,	Mr. Rea,	Mr. Birdfall,	Mr. R. Van Rensselaer,	Mr. Wickes,	Mr. Van Houten,
Mr. Morehouse,	Mr. Lott,	Mr. Edfall,	Mr. Schuyler,	Mr. Snyder,	Mr. Rowan.
Mr. Jay,	Mr. Tredwell,	Mr. Bancker,	Mr. Hoffman,	Mr. Hardenbergh,	

#### For the Negative.

Mr. L'Homedieu,	Mr. Van Zandt,	Mr. Brinckerhoff.
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Therefore, *Resolved*, That in the Opinion of this House, the several Persons, in and by the said Ordinance, appointed Representatives in Assembly, for the City and County of *New-York*, and the Counties of *Suffolk*, *Queen's*, *King's* and *Richmond*, and such Person or Persons, as have been or shall be chosen by the Senate, to fill up any Vacancies that have arisen or may arise, are, by the Terms of the said Ordinance, to continue Representatives in Assembly for the said City and Counties, until the Electors they represent shall respectively be in Capacity of electing; although the Electors in the said City and Counties, should remain incapable of electing for a longer Time than one Year after the said several Persons were so appointed, or elected, any Thing in the Constitution of this State, requiring Representatives in Assembly, to be annually chosen notwithstanding.

The Bill, entitled, "*An Act for advancing to Peter T. Curtenius, Esq; Commissary purchase Clothing for this State, the further Sum of*" was read second Time, and committed to a Committee of the whole House.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

A Message from his Excellency the Governor to the Legislature, received from the Honorable the Senate, by *Arthur Parks, Esq;* was read, and is in the Words following, viz.

"Gentlemen of the Legislature,

"The Accounts herewith delivered to you, were tendered me by Capt. *Cregier*, who acted as Commissary to Capt. *Johnson's* Company of Rangers, raised in *Orange County*.

"On Examination of those Accounts, you will perceive that the Sum expended in Rations (though not amounting to the Number due to the Company) together with the Company's



Company's Wages, exceeds the Sum allowed by Congress, at 10 Pence Half-Penny per Ration, — £.177--19--8d. As I do not conceive myself authorised to pay this Balance, however reasonable and politic the Measure might be, I think it my Duty to submit the Propriety of it to your Consideration and Advice, of which I am the more desirous, as other Accounts for supplying the Militia, which have or may be called into Service, will arise; and as the Prices of every Necessary are greatly increased, the public Services demand that they be liquidated on such Principles, as to do Justice and give Satisfaction to the Parties interested in them.

Poughkeepsie, June 22, 1778.

GEO. CLINTON."

The Accounts attending the said Message, were also read.

A Message from the Honorable the Senate, also received by Mr. Parks, being read, is in the Words following, viz.

State of New-York.

In Senate, June 23, 1778.

"Mr. L. Morris, from the Committee on his Excellency's Message, of the 22d Instant, respecting Capt. Gregier's Account, as Commissary to Capt. Johnson's Company of Rangers, raised in Orange County, delivered in the Report of the said Committee; And thereupon, Resolved, if the Honorable House of Assembly concur herein, that it be recommended to his Excellency the Governor, to allow to the several Companies, which he has or may call into Service, for the Defence of the Frontiers of this State, for Rations, such Sum or Sums as he shall think proper, not exceeding Three Shillings per Ration."

"Ordered, That Mr. Parks, carry a Copy of the above Resolution, together with a Copy of his Excellency's said Message, and of the Papers accompanying the same, to the Honorable the House of Assembly."

Ordered, That his Excellency's said Message, and the Papers accompanying the same, together with a Copy of the Resolution of the Honorable the Senate thereon, be committed to a Committee, that Mr. Livingston and Mr. Harpur, be a Committee for that Purpose, and that they report thereon with all convenient Speed.

A Petition of Farvis Mudge of King's District, was read, and ordered to lie on the Table.

Mr. Taylor moved for Leave to bring in a Bill, to amend an Act, entitled, "*An Act for raising Monies to be applied towards the public Exigencies of this State.*" Debates arose thereon, and the Question being put, it passed in the Negative.

Mr. Hardenburgh, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for enabling the Inhabitants of the Eastern District of this State, to elect a Senator, Representatives in Assembly, Supervisors and Assessors, notwithstanding the several annual Days for electing these Officers have elapsed,*" reported, that the said Committee had gone through the said Bill, made several Amendments thereto, and altered the Title.--That the said altered Title, is in the Words following, viz. "*An Act for enabling the Inhabitants of the Eastern District of this State to elect a Senator, Representatives in Assembly, Supervisors, Assessors, and other Town Officers, notwithstanding the several annual Days for electing these Officers have elapsed,*" which Report he read in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments, be engrossed.

Then the House adjourned until eight o'Clock To-Morrow Morning.

T H U R S D A Y, eight o'Clock, A. M. June 25, 1778.

THE engrossed Bill, entitled, "*An Act for enabling the Inhabitants of the Eastern District of this State, to elect a Senator, Representatives in Assembly, Supervisors, Assessors, and other Town Officers, notwithstanding the several annual Days for electing these Officers have elapsed,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Schuyler and Mr. Jay, carry the said Bill to the Honorable the Senate, for Concurrence.

Mr. Livingston from the Committee, to whom was referred his Excellency's Message of the 22d Instant, and the Resolution of the Honorable the Senate, thereon reported; Thereupon, Resolved, That this House do concur with the Honorable the Senate, in their Resolution of the 23d Instant, that it be recommended to his Excellency the Governor to allow to the several Companies, which he has or may call into Service for the Defence of the Frontiers of this State, for Rations, such Sum or Sums as he shall think proper, not exceeding Three Shillings per Ration.

Ordered, That Mr. Schuyler and Mr. Jay, carry a Copy of the above Resolution, to the Honorable the Senate.

Mr. L'Homedieu, from the Committee of the whole House, to whom were referred the Bill, entitled, "*An Act for providing the Continental Battalions, raised under the Direction of*"

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this State, with Accoutrements." And also the Bill, entitled, "*An Act to exempt and disqualify from serving in the Militia, all Persons not Subjects of any of the United States, who shall desert from the Enemy,*" reported, that the said Committee had gone through the said Bills, made some Amendments thereto respectively, and altered the Title of the last mentioned Bill; that the altered Title is in the Words following, viz, "*An Act to exempt and disqualify all Deserters from the Enemy, not Subjects of any of the United States, from serving in the Militia of this State,*" which Report he read in his Place, and delivered the said Bills, with their respective Amendments in at the Table, where the same were respectively again read, and agreed to by the House.

Ordered, That the said Bills and Amendments, be respectively engrossed.

A Messge was received from the Honorable the Senate, by *Abraham Yates, jun. Esq;* that the Senate have passed a Bill, entitled, "*An Act to enable the Mayor, Aldermen, and Commonalty of the City of Albany, to order the raising a Sum not exceeding Four Hundred Pounds, for the Purposes therein mentioned,*" and request the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

MR. TAYLOR, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act for suspending an Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods, Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" reported, that the Committee had gone through the said Bill without any Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

Ordered, That the said Bill be engrossed.

Mr. Schoonmaker moved for Leave to bring in a Bill, entitled, "*An Act to appoint a Commissioner, to take the Superintendence and Care of such Poor, as were removed out of the City of New-York, into Dutchess County, and for other Purposes therein mentioned.*"

Ordered, That Leave be given accordingly.

Mr. Schoonmaker accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. E. Clark moved, that the House, go into a Committee of the whole House, on the Bill, entitled, "*An Act to raise a further Sum, to be applied towards the public Exigencies of this State.*"—Debates arose thereon, and the Question being put, it passed in the Negative, in Manner following, viz.

For the Affirmative.

Mr. Bancker,	Mr. Dunscomb,	Mr. Wickes,	Mr. Van Zandt,	Mr. Mills,	Mr. Lott,
Mr. Jay,	Mr. Harpur,	Mr. Coe,	Mr. L'Houmedieu,	Mr. Tredwell,	Mr. Schoonmaker,
Mr. Miller,	Mr. Benson,	Mr. Honeywell,	Mr. Edgall,	Mr. Crane,	Mr. Williams.

For the Negative.

Mr. R. Van Rensselaer,	Mr. Wisner,	Mr. Livingston,	Mr. E. Clark,	Mr. Hardenburgh,
Mr. Drake,	Mr. Van Houten,	Mr. Schuyler,	Mr. Morehouse,	Mr. Snyder,
Mr. Swartwout,	Mr. Brinckerhoff,	Mr. Taylor,	Mr. Boerum,	Mr. Rea,
Mr. J. Clark,	Mr. Birdfall,	Mr. Rowen,	Mr. Whiting,	Mr. Hoffman

Then the House adjourned until 8 o'Clock To-Morrow Morning.

F R I D A Y, 8 o'Clock, A. M. June 26, 1778.

THE Bill entitled, "*An Act for providing the Continental Battalions raised under the Direction of this State, with Accoutrements,*" was read the third Time.

Resolved, That the Bill do pass.

The Bill entitled, "*An Act to exempt and disqualify all Deserters from the Enemy, not Subjects of any of the United States, from serving in the Militia of this State,*" was read the third Time.

Resolved, That the Bill do pass.

The Bill entitled, "*An Act for suspending an Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Hoffman and Mr. Miller, carry the said three Bills to the Honorable the Senate, and request their Concurrence thereto respectively.

The Bill entitled, "*An Act to enable the Mayor, Aldermen and Commonalty, of the City of Albany, to order the raising the Sum not exceeding Four Hundred Pounds, for the Purposes therein mentioned,*" was read a second Time, and committed to a Committee of the whole House.

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The Bill entitled, "*An Act to appoint a Commissioner, to take the Superintendence and Care of such Poor, as were removed out of the City of New-York, into Dutchess County, and for other Purposes therein mentioned,*" was read a second Time, and committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by *Alexander Webster, Esq;* That the Senate have passed a Bill, entitled, "*An Act for supplying the Families of the Persons belonging to the five Battalions of Continental Troops, raised under the Direction of this State, and who have engaged in the same for three Years, or during the War, with the Necessaries of Life, at moderate Prices,*" and request the Concurrence of the House thereto.

Mr. *Livingston*, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act for advancing to Peter T. Curtenius, Esq; Commissary to purchase Clothing for this State, the further Sum of*" reported, that the said Committee had gone through the said Bill, made several Amendments thereto, added a Clause, and altered the Title; that the altered Title is in the Words following, viz. "*An Act for advancing to the several Persons, the several Sums therein mentioned,*" which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments, and Clause, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments and Clause, be engrossed.

Mr. *L'Hommedieu* moved for Leave to bring in a Bill, entitled, "*An Act to enable the Inhabitants of this State, to pay into the Treasury thereof, any Sums of Money to be discounted from their future Taxes, towards the Support of the present War.*"

Ordered, That Leave be given accordingly.

Mr. *L'Hommedieu* accordingly brought in the said Bill, which was read the first Time, and ordered a second Reading.

Mr. *Hoffman*, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to expedite the Payment of Debts due to this State,*" reported, that the said Committee had gone through the said Bill without any Amendment, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill in at the Table, where the same was again read, and agreed to by the House.

Ordered, That the said Bill be engrossed.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

A Message was received from the Honorable the Senate, by *Jonatban Landon, Esq;* that the Senate have passed a Bill, entitled, "*An Act to amend an Act for regulating the Militia of the State of New-York,*" and request the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

By Reason of the speedy Expiration of the Year for which the present Legislature was elected, and by unanimous Consent,

The engrossed Bill entitled, "*An Act to expedite the Payment of Debts due to this State,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. *Benson* and Mr. *Harpur*, carry the said Bill to the Honorable the Senate, for Concurrence.

For the Reason above mentioned, and by unanimous Consent, the Bill entitled, "*An Act for supplying the Families of the Persons belonging to the five Battalions of Continental Troops raised under the Direction of this State, and who have engaged in the same for three Years, or during the War, with the Necessaries of Life at moderate Prices,*" was read a second Time, and committed to a Committee of the whole House.

For the like Reason, and by unanimous Consent, the House resolved itself into a Committee of the whole House, on the Bill entitled, "*An Act to appoint a Commissioner to take the Care and Superintendence of such Poor, as were removed out of the City of New-York, into Dutchess County, and for other Purposes therein mentioned,*" after some Time spent therein, Mr. *Speaker* resumed the Chair, and Mr. *Williams*, from the said Committee, reported, that the said Committee had gone through the said Bill, made some Amendments thereto, and added a Clause, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments and Clause, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the said Bill and Amendments and Clause, be engrossed.

A Message was received from the Honorable the Senate, by *Levy Pawling, Esq;* That the Senate have passed the Bill, entitled, "*An Act for enabling the Inhabitants of the Eastern District of this State to elect a Senator, Representatives in Assembly, Supervisors, Assessors, and other*"



Town Officers, notwithstanding the several annual Days for electing these Officers have elapsed," with the Amendments therewith delivered.

The said Amendments were then read, and being severally read a second Time, and agreed to by the House, are respectively ordered to be inserted in the said Bill.

One of the said Amendments, being an Amendment to the Title of the said Bill, the amended Title is in the Words following, viz.

*"An Act for enabling the Inhabitants of the Eastern District of this State, to elect a Senator, Representatives in Assembly, Supervisors, Assessors, and other Town Officers, notwithstanding the several annual Days for electing those Officers have elapsed, and providing a temporary representation for the Southern District of this State."*

Then the House adjourned until 8 o'Clock To-Morrow Morning.

SATURDAY, 8 o'Clock, A. M. June 27, 1778.

A Message was received from the Honorable the Senate, by Arthur Parks, Esq; that the Senate have passed the Bill, entitled, *"An Act for providing the Continental Battalions, raised under the Direction of this State, with Accoutrements."* And the Bill, entitled, *"An Act for suspending an Act, to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innholders within this State, and for other Purposes therein mentioned,"* without any Amendment.

Ordered, That Mr. Bancker and Mr. R. Van Rensselaer, carry the said Bills to the Honorable the Council of Revision.

A Message was also received by Mr. Parks, that the Honorable the Senate have passed the Bill, entitled, *"An Act to exempt and disqualify all Deserters from the Enemy, not Subjects of any of the United States, from serving in the Militia of this State,"* with an Amendment, viz. to strike out the Proviso of the last Clause, which Proviso is in the Words following, viz. *"Provided nevertheless, That every such Defenter and Prisoner of War, may retain and appropriate to his own Use, all Monies by him received upon such Contract and Agreement,"* Mr. Speaker then put the Question, whether the House agrees with the Honorable the Senate in their said Amendment, and it passed in the Negative.—Therefore, Resolved, That this House do adhere to their Bill.

Ordered, That Mr. Benson and Mr. Coe, carry back the said Bill, with a Copy of the above Resolution to the Honorable the Senate.

Ordered, That Mr. Benson and Mr. Coe, carry back to the Honorable the Senate, the Bill, entitled, *"An Act for enabling the Inhabitants of the Eastern District of this State, to elect a Senator, Representatives in Assembly, Supervisors, Assessors and other Town Officers, notwithstanding the several annual Days for electing those Officers have elapsed,"* and inform them that this House have agreed to their Amendments to the said Bill, and amended the same accordingly.

The Bill, entitled, *"An Act to appoint a Commissioner to take the Superintendence and Care of such Poor, as were removed out of the City of New-York, into Dutchess County, and for other Purposes therein mentioned,"* was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Benson and Mr. Coe, carry the said Bill to the Honorable the Senate, for Concurrence.

The Bill entitled, *"An Act to amend an Act, entitled, an Act for regulating the Militia of the State of New-York,"* was read a second Time, and committed to a Committee of the whole House.

The Bill entitled, *"An Act to enable the Inhabitants of this State, to pay into the Treasury thereof, any Sums of Money to be discounted from their Taxes, towards the Support of the present War,"* was read a second Time, and committed to a Committee of the whole House.

Mr. Schuyler, from the Committee of the whole House, to whom was referred the Bill, entitled, *"An Act to enable the Mayor, Aldermen, and Commonalty of the City of Albany, to raise a Sum not exceeding Four Hundred Pounds, for the Uses and Purposes therein mentioned,"* reported, that the said Committee had gone through the said Bill, and made several Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House. And on Mr. Speaker's asking the Question, whether the said Bill shall pass.—Debates arose, and it passed in the Affirmative, in Manner following.

For the Affirmative.

Mr. Taylor,  
Mr. Schuyler,  
Mr. Van Houten,  
Mr. Williams,

Mr. Boerum,  
Mr. Swartwout,  
Mr. Bancker,  
Mr. Duncomb,

Mr. Van Zandt,  
Mr. Whiting,  
Mr. Rea,  
Mr. Harpur,

Mr. J. Clark,  
Mr. Hathorn,  
Mr. Hoffman,  
Mr. Crane,

Mr. Mills,  
Mr. Winer,  
Mr. R. Van Rensselaer.

For



## For the Negative.

Mr. Tredwell,	Mr. Livingston,	Mr. E. Clark,	Mr. Jay,	Mr. Rowan,	Mr. Edfall,
Mr. Honeywell,	Mr. Schoonmaker,	Mr. Snyder,	Mr. Coe,	Mr. L'Homedieu,	Mr. Brinckerhoff,
Mr. Birdfall,	Mr. Morehouse,	Mr. Lott,	Mr. Benson,	Mr. Miller,	Mr. Wickes,

Therefore, *Resolved*, That the Bill as amended, do pass.

A Message was received from the Honorable the Senate, by Mr. *Van Schaick*, that the Senate do recede from their Amendment to the Bill, entitled, "*An Act to exempt and disqualify all Deserters from the Enemy, not Subjects of any of the United States, from serving in the Militia of this State.*"

Ordered, That Mr. *L'Homedieu* and Mr. *Harpur*, carry the last above-mentioned Bill, together with the Bill, entitled, "*An Act for enabling the Inhabitants of the Eastern District of this State, to elect a Senator, Representatives in Assembly, Supervisors, Assessors, and other Town Officers, notwithstanding the several annual Days for electing those Officers have elapsed, and providing a temporary Representation for the Southern District of this State,*" to the Honorable the Council of Revision.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

ORDERED, That Mr. *Honeywell* and Mr. *Mills*, carry the Bill, entitled, "*An Act to enable the Mayor, Aldermen, and Commonalty of the City of Albany, to raise a Sum not exceeding Four Hundred Pounds, for the Uses and Purposes therein mentioned,*" with the Amendments thereto, to the Honorable the Senate, and inform them that this House have passed the said Bill, with the Amendments therewith delivered.

Mr. *Van Houten*, from the Committee of the whole House, to whom was referred, the Bill, entitled, "*An Act for supplying the Families of the Persons belonging to the five Battalions of Continental Troops, raised under the Direction of this State, and who have engaged in the same for three Years, or during the War, with the Necessaries of Life, at moderate Prices,*" reported, that the said Committee had gone through the said Bill, and made some Amendments thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments in at the Table, where the same were again read, and agreed to by the House.

*Resolved*, That the Bill as amended, do pass.

Ordered, That Mr. *Boerum* and Mr. *Whiting*, carry the said Bill and Amendments to the Honorable the Senate, and inform them that this House have passed the same, with the Amendments therewith delivered.

Mr. *Benson*, moved for Leave to bring in a Bill, entitled, "*An Act to prevent the Mischiefs, arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State.*"

Ordered, That Leave be given accordingly.

The said Bill was read the first Time, and ordered a second Reading.

Then the House adjourned until eight o'Clock To-Morrow Morning.

SUNDAY, 8 o'Clock, A. M. June 28, 1778.

WHEREAS *Abraham Jones*, Esq; one of the Members of Assembly, appointed by the Ordinance of the late Convention of Representatives of this State, for organizing the Government thereof, a Representative for *Richmond County*, is with the Enemy, Therefore, *Resolved*, That the Seat of the said *Abraham Jones*, in this House, be and is hereby declared Vacant, and that the Honorable the Senate be requested to elect a Representative in Assembly, for the said County of *Richmond*, to fill up the vacant Seat of the said *Abraham Jones*.

Ordered, That Mr. *Wickes* and Mr. *Edfall*, carry a Copy of the above Resolution, to the Honorable the Senate.

Then the House adjourned until four o'Clock this Afternoon.

4 o'Clock, P. M.

THE House met, and adjourned until eight o'Clock to Morrow-Morning.

MONDAY, 8 o'Clock, A. M. June 29, 1778.

THE engrossed Bill, entitled, "*An Act for advancing to the several Persons the several Sums therein mentioned,*" was read the third Time.

*Resolved*, That the Bill do pass.

Ordered, That Mr. *Snyder* and Mr. *Morehouse*, carry the said Bill to the Honorable the Senate, for Concurrence.



A Message was received from the Honorable the Senate, by *Lewis Morris, Esq;* That the Senate have passed the Bill, entitled, "*An Act to expedite the Payment of Debts due to this State,*" and also the Bill entitled, "*An Act to appoint a Commissioner to take the Superintendence and Care of such Poor, as were removed out of the City of New-York, into Dutchess County, and for other Purposes therein mentioned,*" without Amendment.

Ordered, That Mr. *Hatborn* and Mr. *Benson*, carry the said two Bills to the Honorable the Council of Revision.

Resolved, (if the Honorable the Senate shall concur herein) That his Excellency the Governor, be requested to cause, such Persons Subjects of this State, who are Prisoners with the Enemy, and not subsisted by the Continent, to be supplied with Cash or Necessaries, to the Amount of Five Hundred Pounds, and that the Legislature will provide for the Expence thereof.

Ordered, That Mr. *Wisner* and Mr. *Honeywell*, carry a Copy of the above Resolution, to the Honorable the Senate for Concurrence.

The Bill entitled, "*An Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters in this State,*" was read the second Time, and committed to a Committee of the whole House.

A Message was received from the Honorable the Senate, by *William Floyd, Esq;* in the Words following, viz.

"Resolved, That this Senate do concur with the Honorable the House of Assembly, in their Resolution of this Day, requesting his Excellency the Governor, to cause such Persons, Subjects of this State, who are Prisoners with the Enemy, and not subsisted by the Continent, to be supplied with Cash or Necessaries, to the Amount of Five Hundred Pounds, and that the Legislature will provide for the Expence thereof."

Another Message was also received by Mr. *Floyd*, together with the Bill next mentioned, that the Senate have passed a Bill, entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" and request the Concurrence of this House thereto.

The said Bill was read the first Time, and ordered a second Reading.

Copies of sundry Resolutions of the Honorable the Council of Revision, all bearing Date this Day, were delivered by the Chief Justice and read, and are respectively in the Words following, viz

"Resolved, That it does not appear improper to this Council, that the Bill entitled, "*An Act for providing the Continental Battalions, raised under the Direction of this State, with Accoutrements,*" and also the Bill entitled, "*An Act for suspending an Act to regulate the Wages of Mechanicks and Labourers, the Prices of Goods and Commodities, and the Charges of Innkeepers within this State, and for other Purposes therein mentioned,*" Should become Laws of this State.

"Resolved, That it does not appear improper to this Council, that the Bill entitled, "*An Act to exempt and disqualify all Deserters from the Enemy, not Subjects of any of the United States, from serving in the Militia of this State,*" and also the Bill entitled, "*An Act for enabling the Inhabitants of the Eastern District of this State, to elect a Senator, Representatives in Assembly, Supervisors, Assessors and other Town Officers, notwithstanding the several annual Days for electing these Officers have elapsed, and providing a temporary Representation for the Southern District of this State,*" should become Laws of this State.

"Resolved, That it does not appear improper to this Council, that the Bill entitled, "*An Act to expedite the Payment of Debts due to this State.*" And also the Bill entitled, "*An Act to appoint a Commissioner to take the Superintendence and Care of such Poor, as were removed out of the City of New-York, into Dutchess County, and for other Purposes therein mentioned,*" should become Laws of this State."

Mr. *Tredwell*, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act to amend an Act entitled, An Act for regulating the Militia of the State of New-York,*" reported, that the said Committee had gone through the said Bill, and added a Clause thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendment in at the Table, where the same were again read, and agreed to by the House.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

THE Bill, entitled, "*An Act to amend an Act, entitled, an Act for regulating the Militia of the State of New-York,*" with the Amendment thereto, was read the third Time.

Resolved, That the Bill as amended, do pass.

Ordered, That Mr. *E. Clark* and Mr. *J. Clark*, carry the said Bill and Amendment, to the Honorable the Senate, and inform them that this House have passed the said Bill with the Amendment therewith delivered.

Mr.



Mr. Hoffman, from the Committee of the whole House, to whom was referred the Bill, entitled, "*An Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, within this State,*" reported, that the said Committee have gone through the said Bill, made some Amendments, and added a Clause thereto, which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments and Clause, in at the Table, where the same were again read, and agreed to by the House.

Ordered, That the Bill and Amendments and Clause, be engrossed.

A Message was received from the Honorable the Senate, by *Alexander Webster, Esq;* that "the Senate proceeded to take into Consideration, the Amendment of this House to the Bill, entitled, "*An Act to amend an Act for regulating the Militia of the State of New-York,*" and that the Question being put, Whether the said Amendment should pass, it was carried in the Negative—And that the Senate had therefore resolved to adhere to their Bill." Thereupon,

Resolved, That this House do recede from their Amendment to the said Bill—And,

Ordered, That Mr. Williams and Mr. Edsall, carry a Copy of the above Resolution, together with the said Bill, to the Honorable the Senate.

The Bill entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" was read a second Time, and committed to a Committee of the whole House.

The engrossed Bill entitled, "*An Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters within this State,*" was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr. Harpur and Mr. Hoffman, carry the said Bill to the Honorable the Senate for Concurrence.

Then the House adjourned until seven o'Clock To-Morrow.

T U E S D A Y, 7 o'Clock, A. M. June 30, 1778.

A Message was received from the Honorable the Senate, by Mr. Landon, that the Senate have passed the Bill, entitled, "*An Act for advancing to the several Persons the several Sums therein mentioned,*" without Amendment.

Ordered, That Mr. Bancker and Mr. Harpur, carry the said Bill to the Honorable the Council of Revision.

Mr. Livingston, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, and to regulate the Exportation thereof, and for other Purposes therein mentioned,*" reported, that the said Committee had made some Progress in the said Bill, and directed him to move for Leave to sit again.

Ordered, That the said Committee have Leave to sit again.

Then the House adjourned until three o'Clock this Afternoon.

3 o'Clock, P. M.

MR. LIVINGSTON, from the Committee of the whole House, to whom was committed the Bill, entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" reported, that the said Committee had gone through the said Bill, made several Amendments thereto and altered the Title—That the altered Title is in the Words following, viz. "*An Act to amend an Act to prevent the Exportation of Flour, Meal and Grain, out of this State,*" which they had directed him to report to the House, and he read the Report in his Place, and delivered the Bill and Amendments, in at the Table, where the same were again read, and agreed to by the House.

A Message was received from the Honorable the Senate, by *Arthur Parks, Esq;* that the Senate have passed the Bill, entitled, "*An Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters, in this State,*" without Amendment.

Ordered, That Mr. Livingston and Mr. Jay, carry the said Bill to the Honorable the Council of Revision.

The Bill, entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" was read the third Time.

Resolved, That the Bill as amended, do pass.

H h

Ordered,



Ordered, That Mr. *Livingston* and Mr. *Williams*, carry the said Bill and Amendments to the Honorable the Senate, and inform them that this House have passed the said Bill, with the Amendments therewith delivered.

Copies of two Resolutions of the Honorable the Council of Revision, bearing Date this Day, delivered by the Chief Justice were read, and are respectively, in the Words following, viz.

"Resolved, That it does not appear improper to this Council, that the Bill, entitled, "*An Act for advancing to the several Persons, the several Sums therein mentioned,*" should become a Law of this State."

"Resolved, That it does not appear improper to the said Council, that the Bill, entitled, "*An Act more effectually to prevent the Mischiefs arising from the Influence and Example of Persons of equivocal and suspected Characters in this State,*" should become a Law of this State."

A Message was received from the Honorable the Senate, by *Jonathan Lawrence*, Esq; that the Senate have proceeded to the Consideration of the Amendments of this House to the Bill, entitled, "*An Act to repeal An Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" and that the Question being put, whether the Senate did agree to the said Amendments, it was carried in the Negative, and that the Senate had therefore resolved to adhere to their Bill."

Ordered, That Mr. *Benson* and Mr. *Tredwell*, wait on his Excellency the Governor, and inform him that this House will immediately rise, unless his Excellency has further Business to lay before them.

Ordered, That Mr. *Livingston* and Mr. *Jay*, wait on the Honorable the Senate, and inform them that this House is ready, on their Part, to end this Session of the Legislature.

A Message was received from the Honorable the Senate, by *R. Morris*, Esq; in the Words following, viz.

In Senate, June 30, 1778.

"Resolved, That this Senate will be ready on their Part, to end this Session of the Legislature, as soon as they shall have received the Answer of the Honorable the House of Assembly, upon the Bill, entitled, "*An Act to repeal an Act, to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned.*"

"Ordered, That Mr. *R. Morris*, carry a Copy of the foregoing Resolution, to the Honorable the House of Assembly. Thereupon,

Resolved unanimously, That this House do adhere to their Amendments to the Bill, entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned.*"

Ordered, That Mr. *Livingston* and Mr. *Hathorn*, carry back the said Bill, with a Copy of the above Resolution, to the Honorable the Senate.

A Message was received from the Honorable the Senate, by *Arther Parks*, Esq; in the Words following, viz.

"State of New-York.

In Senate, June 30, 1778.

"Resolved, That in the Opinion of this Senate, a Conference should immediately be held with the Honorable the House of Assembly, on the Bill, entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" with the Amendments of the Honorable the House of Assembly thereto, and this Senate do hereby claim the same, and for that Purpose, that this Senate will meet the Honorable House of Assembly, in the Assembly Chamber immediately."

"Resolved, That Mr. *Scott*, Mr. *R. Morris*, Mr. *Platt*, Mr. *Wisner* and Mr. *Yates*, be a Committee on the Part of this Senate, to manage the said Conference."

"Ordered, That Mr. *Parks*, carry a Copy of the foregoing Resolutions, to the Honorable the House of Assembly.

A true Copy from the Minutes,

ROBERT BENSON, Clerk."

Resolved, That this House do concur with the Honorable the Senate, in their Resolution on for holding a Conference on the Bill, entitled, "*An Act to repeal an Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" with the Amendments of this House to the same, and that this House will meet the Honorable the Senate, in the Assembly Chamber, for that Purpose, immediately.

The House then proceeded to choose by Ballot, a Committee to manage the said Conference, on the Part of this House; and Mr. *Benson*, Mr. *L'Homedieu*, Mr. *Harpur*, Mr. *Livingston* and Mr. *Tredwell*, being chosen by Ballot, for that Purpose.

Resolved,



*Resolved*, That they be a Committee to manage the same.

*Ordered*, That Mr. *Brinckerhoff* and Mr. *Wickes*, carry a Copy of the above Resolution to the Honorable the Senate.

The House of Assembly accordingly met the Senate, for the Purposes of holding such Conference, and the same being finished, the House proceeded to the Re-consideration of the said Bill, and of the Amendments of this House thereto.

A Message was received from the Honorable the Senate, by Mr. *Landqn*, in the Words following, *viz.*

"The Senate proceeded to reconsider the Bill, entitled, "*An Act to repeal An Act to prevent the Exportation of Flour, Meal and Grain, out of this State, to regulate the Exportation thereof, and for other Purposes therein mentioned,*" with the Amendments, by the Honorable the House of Assembly thereto. And after some Time spent therein; and the Question being put, whether the Senate do agree to the said Amendments of the Honorable the House of Assembly, it was carried in the Negative.

"*Resolved*, That this Senate do adhere to their said Bill."

After some further time spent in Consideration of the said Bill and Amendments, Mr. Speaker put the Question, Whether the House still adhere to their Amendments to the said Bill.—Debates arose thereon, and it passed in the Affirmative in Manner following, *viz.*

#### For the Affirmative.

Mr. Bancker,	Mr. Boerum,	Mr. Tredwell,	Mr. Birdfall,	Mr. Rea,	Mr. Van Houten,
Mr. Wickes,	Mr. J. Clark,	Mr. Jay,	Mr. Harpur,	Mr. Lott,	Mr. Rowan,
Mr. Duncomb,	Mr. Snyder,	Mr. Morehouse,	Mr. L'Houmedieu,	Mr. Hathorn,	Mr. Schuyler,
Mr. Williams,	Mr. Mills,	Mr. Coe,	Mr. Van Zandt,	Mr. Edfall,	Mr. Whiting,

#### For the Negative.

Mr. Hoffman,	Mr. Wisner,	Mr. Brinckerhoff,	Mr. Miller,	Mr. Schoonmaker,	Mr. R. Van Rensselaer,
Mr. Benson,	Mr. Crane,	Mr. Swartwout,	Mr. Livingston,	Mr. E. Clark,	

Therefore, *Resolved*, That this House do adhere to their Amendments to the said Bill.

*Ordered*, That Mr. *E. Clark* and Mr. *Coe*, carry a Copy of the above Resolution, to the Honorable the Senate.

A Copy of a Resolution of the Honorable the Council of Revision, subscribed by his Excellency the Governor, and transmitted to this House by the Honorable the Senate, was read, and is in the Words following, *viz.*

"*Resolved*, That it doth not appear improper to this Council, that a Bill, entitled, "*An Act for supplying the Families of the Persons belonging to the five Battalions of Continental Troops, raised under the Direction of this State, and who have engaged in the same for three Years, or during the War, with the Necessaries of Life, at moderate Prices.*" As also a Bill entitled, "*An Act to amend an Act for regulating the Militia of the State,*" should become Laws of this State."

Then the House adjourned without Day.

BY Virtue of an Order of the Assembly of the State of New-York, I do appoint JOHN HOLT to print these Votes, and that no other Person presume to print the same.

WALTER LIVINGSTON, Speaker.



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to print this letter, and that no other Person presume to print the same.

In Witness of an Oath of the Assembly of the State of New-York, I do appoint John Hart

WALTER LIVINGSTON, Speaker.